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FROM
WM. D. STEPHENS
OVERNOR OF CALIFORNIA

H.E.4

CALIFORNIA
AND THE
ORIENTAL

BY
STATE BOARD OF CONTROL
OF CALIFORNIA

CALIFORNIA STATE PRINTING OFFICE
SACRAMENTO
1920

CALIFORNIA AND THE ORIENTAL

JAPANESE, CHINESE, AND HINDUS

REPORT OF
STATE BOARD OF CONTROL
OF CALIFORNIA
TO
GOV. WM. D. STEPHENS

JUNE 19, 1920

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Governor William D. Stephens
# of California

presents

The Oriental Question

to

Secretary of State Bainbridge Colby
Washington, D. C.

STATE OF CALIFORNIA
GOVERNOR'S OFFICE

Sacramento, June 19, 1920.

Hon. Bainbridge Colby,
Secretary of State,
Washington, D. C.

Sir: I have the honor to transmit herewith the official report prepared and filed with me by the State Board of Control of California on the subject of Oriental immigration, population and land ownership.

The subject is one of such transcendent importance to the people of California, and is so potential with future difficulties between the United States of America and the Oriental countries, that I deem it my duty in forwarding the report to outline in brief the history of the development of the Japanese problem in California, together with the legislation already enacted and that now pending. In doing so I trust I may be able clearly to lay before you the necessity of action by our Federal government in the attainment of a permanent solution of this matter.

While the report deals with the problem as an entire Asiatic one, the present acute situation is occasioned specifically by the increase in population and land ownership of the Japanese. Forty years ago the California race problem was essentially a Chinese problem. At that time our Japanese population was negligible. The Chinese immigrants, however, were arriving in such numbers that the people of the entire Pacific slope became alarmed at a threatened inundation of our white civilization by this Oriental influx.

Popular feeling developed to such a pitch that many unfortunate incidents occurred of grave wrong done to individual Chinese as the result of mob and other illegal violence. Our country became awakened at the growing danger, and Congress passed the Chinese Exclusion Act providing for the exclusion of all Chinese laborers and the registration of all Chinese at that time lawfully within the country. The statute was sufficiently comprehensive effectively to exclude further Chinese immigration and to make difficult, if not impossible, the evasion of the spirit of the act. As a result of this enactment there has been a substantial reduction in the Chinese population of California.

In the meantime, however, we have been developing an even more serious problem by reason of the influx to our shores of Japanese labor. Twenty years ago our Japanese population was nominal. Ten years ago the census reports of the United States government showed a Japanese population in California of 41,356. A survey and computation recently made by the Board of Control of the State of California indicates that at the present time this Japanese population has been more than doubled—it amounting now to 87,279. The best figures available indicate that our Japanese population comprises between 80 and 85 per cent of the total Japanese population of continental United States.

The Japanese in our midst have indicated a strong trend to land ownership and land control, and by their unquestioned industry and application, and by standards and methods that are widely separated from our occidental standards and methods, both in connection with hours of labor and standards of living, have gradually developed to a control of many of our important agricultural industries. Indeed, at the present time they operate 458,056 acres of the very best lands in California. The increase in acreage control within the last decade, according to these official figures has been 412.9 per cent. In productive values—that is to say, in the market value of crops produced by them—our figures show that as against $6,235,856 worth of produce marketed in 1909, the increase has been to $67,145,730, approximately tenfold.

More significant than these figures, however, is the demonstrated fact that within the last ten years Japanese agriclutural labor has developed to such a degree that at the present time between 80 and 90 per cent of most of our vegetable and berry products are those of the Japanese farms. Approximately 80 per cent of the tomato crop of the state is produced by Japanese; from 80 to 100 per cent of the spinach crop; a greater part of our potato and asparagus crops, and so on. So that it is apparent without much more effective restrictions that in a very short time, historically speaking, the Japanese population within our midst will represent a considerable portion of our entire population, and the Japanese control over certain essential food products will be an absolute one.

Aside from the economic aspect, however, and even more important than this, is the social problem inevitably developing to an acute degree. The figures contained in the report will not be understood in their true significance without the supplementary explanation that these land holdings and land products are in well-defined locations within the state and not spread broadcast. The Japanese, with his strong social race instinct, acquires his piece of land and, within an incredibly short period of time, large adjoining holdings are occupied by people of his own race. The result is that in many portions of our state we have large colonies of Japanese, the population in many places even exceeding the white population.

These Japanese, by very reason of their use of economic standards impossible to our white ideals—that is to say, the employment of their wives and their very children in the arduous toil of the soil—are proving crushing competitors to our white rural populations. The fecundity of the Japanese race far exceeds that of any other people that we have in our midst. They send their children for short periods of time to our white schools, and in many of the country schools of our state the spectacle is presented of having a few white children acquiring their education in classrooms crowded with Japanese. The deep-seated and often outspoken resentment of our white mothers at this situation can only be appreciated by those people who have struggled with similar problems.

It is with great pride that I am able to state that the people of California have borne this situation and seen its developing menace with a patience and self-restraint beyond all praise. California is proud to proclaim to the nation that despite this social situation her people have been guilty of no excesses and no indignities upon the Japanese within our borders. No outrage, no violence, no insult and no ignominy have been offered to the Japanese people within California.

It is also proper to state that I believe I speak the feelings of our people when I express to you a full recognition of the many admirable qualities of the Japanese people. We assume no arrogant superiority of race or culture over them. Their art, their literature, their philosophy, and, in recent years, their scientific attainments have gained for them a respect from the white peoples in which we, who know them so well, fully share. We have learned to admire the brilliancy of their art and the genius that these people display. We respect that deep philosophy which flows so placidly out of that wonderful past of theirs and which has come down through ages that antedate our Christian era. We join with the entire civilized world in our admiration of the tremendous strides which the Japanese nation itself has made in the last two generations unparalleled as its career is in the history of nations. We respect the right of the Japanese to their true development and to the attainment of their destiny.

All these matters I am at pains to emphasize so as to convince you, and, through you the people of our United States, that this problem of ours is not an insignificant or temporary one. It is not factious. It has no origin in narrow race prejudice or rancor or hostility. It is, however, a solemn problem affecting our entire Occidental civilization. It has nothing to do with any pretensions of race superiority, but has vitally to do with race dissimilarity and unassimilability.

But with all this the people of California are determined to repress a developing Japanese community within our midst. They are determined to exhaust every power in their keeping to maintain this state for its own people. This determination is based fundamentally upon the ethnological impossibility of assimilating the

Japanese people and the consequential alternative of increasing a population whose very race isolation must be fraught with the gravest consequences.

California stands as an outpost on the western edge of Occidental civilization. Her people are the sons or the followers of the Argonauts who wended their way westward over the plains of the middle west, the Rocky Mountains and the desert; and here they set up their homes and planted their flags; and here, without themselves recognizing it at the time, they took the farthest westward step that the white man can take. From our shores roll the waters of the Pacific. From our coast the mind's eye takes its gaze and sees on the other shores of that great ocean the teeming millions of the Orient, with its institutions running their roots into the most venerable antiquity, its own inherited philosophy and standards of life, its own peculiar races and colors.

The Pacific, we feel, is shortly to become one of the most important highways of commerce on this earth. Amity and concord and that interchange of material goods as well as ideas, which such facilities offer, will inevitably take place to the benefit of both continents. But that our white race will readily intermix with the yellow strains of Asia, and that out of this interrelationship shall be born a new composite human being is manifestly impossible. Singularly enough, while historical facts are not always susceptible of scientific demonstration, it is true, if our study serves us, that the blood fusion of the Occident and the Orient has nowhere ever successfully taken place. Whether the cause be but a social sense of repugnance, or whether it be insuperable scientific hindrances, is utterly beside the question.

We stand today at this point of western contact with the Orient, just as the Greeks who settled in Asia Minor three thousand years ago stood at its eastern point. And while Mesopotamia and the country to the east thereof were the highways of intercourse between the Orient of that time and the Occident of that era, and while, historically, there was much of contact and conflict between the types representing the two standards of civilization, history does not show any material fusion of either blood or idea between these peoples.

California harbors no animosity against the Japanese people or their nation. California, however, does not wish the Japanese people to settle within her borders and to develop a Japanese population within her midst. California views with alarm the rapid growth of these people within the last decade in population as well as in land control, and foresees in the not distant future the gravest menace of serious conflict if this development is not immediately and effectively checked. Without disparaging these people of just sensibilities, we cannot look for intermarriage or that social interrelationship which must exist between the citizenry of a contented community.

It may be an exquisite refinement, but we cannot feel contented at our children imbibing their first rudiments of education from the lips of the public school teacher in classrooms crowded with other children of a different race. They do not and will not associate in that relationship prevalent elsewhere in the public schools of this country. We recognize that this attitude is too deep-seated to remove. And we recognize that with this attitude goes the necessity of Japanese isolation and that inevitable feeling which socially a proscribed race always develops.

California wants peace. But California wants to retain this commonwealth for her own peoples where they may grow up and develop their own ideals. We are confronted at this time by the problems that have arisen in the Hawaiian Islands, where the Japanese have now developed to an extent which gives them a preponderance, I am informed, in the affairs of that territory. That mistake of Hawaii must not, and California is determined shall not, be repeated here.

This communication and the report accompanying it are prompted by a situation prevailing in California today which we hope may lead to diplomatic correspondence on your part with the Empire of Japan. In 1913 the Legislature of this state passed a statute forbidding the ownership of agricultural lands by Japanese and limiting their tenure to three-year leaseholds. It was the hope at that time that the enactment of this statute might put a stop to the encroachments of the Japanese agriculturist. This legislation followed some years after a proposed bill by the Legislature providing for separate schools for Japanese students.

At the time of the school legislation, however, the appeal on behalf of the United States Government to refrain from enacting such a drastic law was very urgent and was supported by an assurance on the part of the Federal Government that necessary arrangements would be made with Japan stopping the further immigration of Japanese labor. These negotiations led to the so-called "Gentlemen's Agreement." There can be no doubt that it was the intent of our Government, by this agreement, to prevent the further immigration of Japanese laborers. Unfortunately, however, the hoped for results have not been attained.

Without imputing to the Japanese Government any direct knowledge on the subject, the statistics clearly show a decided increase in Japanese population since the execution of the so-called "gentlemen's agreement." Skillful evasions have been resorted to in various manners. "Picture brides" have been brought in and upon their arrival set to work on the farm lands; relatives of those already here were brought in under the guise of dependents; large numbers have come illegally across the Mexican border. As to the latter, of course, it is in the nature of things impossible to give official statistics, as those who came in this manner came illicitly. The realization of this lack of entire good faith on the part of the Japanese led the California Legislature in 1913 to pass the existing law, despite the expostulation of a distinguished predecessor of yours in your present office, who made an official visit to the capitol of this state at that time.

Again, I deplore the necessity of stating that the spirit of the Anti-Alien Land Legislation passed in 1913 has been evaded and broken through the resort to certain legal subterfuges which have almost frustrated the very purpose of the enactment. These evasions have been accomplished through the medium of corporations, trustee stock ownership, trustee land ownership, and the device of having native infant children of Japanese parentage made grantees of agricultural lands controlled and operated exclusively by their non-eligible parents.

At the last session of the Legislature, held in the spring of 1919, further legislation against the Japanese was proposed. At that time action was deferred mainly upon the advice of Secretary of State Lansing, who cabled from Versailles explaining to our legislature that in view of the Peace Conference, then in session, at which Japan was a participant, any Japanese legislation would be unfortunate and strongly implying that it might seriously affect the result of the Peace Conference. Again, California patriotically acceded for the good of the whole country.

I took occasion at the same time to urge the Legislature of California to defer drastic action until the state had acquired reliable information on the subject through the medium of one of its important commissions, the State Board of Control. My views, as expressed then, and from which I have had no occasion to recede, were that the grave problem could not be effectually dealt with except through the medium of the Federal Government, and action by the Federal Government could only be secured by the presentation of reliable information.

I told the people of this state that upon the compilation of the necessary information I should deem it my duty to urge such action both by the State and Federal Government as the situation might require and the facts warrant. The accompanying report is the result of a painstaking search for the facts. In its cold, statistical way, it tells graphically our story. The human side is untouched. With this information officially presented to the people of our state, we must seek relief.

In dealing with this problem, we cannot very well take precedent out of the experience of the nation with the previous race question which so bitterly aroused all the sectional feelings of our people and led to the Civil War. There is one vital difference. The Japanese, be it said to their credit, are not of servile or docile stock. Proud of their traditions and history, exultant as they justly are at the extraordinary career of their country, they brook no suggestion of any dominant or superior race. Virile, progressive and agressive, they have all the race consciousness which is inseparable from race quality.

And it is just because they possess these attributes in such marked degree and feel more keenly the social and race barriers which our people instinctively raise against them that they are driven to that race isolation and, I fear ultimately will reach that race resentment, which portend danger to the peace of our state in the future. In extending to them the just credit which is theirs, the thought does not occur to our people that because the Japanese come from a puissant nation, whose achievements on the field have brought it renown, that therefore our attitude should be moulded by pusillanimity or temporary expediency. We have faith in the willingness and power of our common country to protect its every part from foreign danger.

We also have faith, however, in the intelligence of the Japanese Empire itself to understand our attitude and recognize that it is prompted solely by that inherent desire of every race and type of people to preserve itself. We wish to impress most earnestly upon them the entire absence of every feeling that can betoken ill-will or be in the slightest degree disparaging. But with the same earnestness we insist, after this careful survey which we have caused to be made, that California is now amply justified in taking every step that will properly reduce this problem, and where the powers of the state shall fall short must appeal to the United States Government for that additional action necessary finally to solve this vexing problem.

At the present time an initiative measure is being circulated which in all probability will find a place upon our ballot at this coming election. The initiative measure is a land law even more stringent than the present one in that it not only forbids ownership, but the leasing of lands by the Japanese. It also makes more drastic the provisions against corporate ownership of land for the purpose of evading the Act. The measure, if adopted, will exhaust the state's power in dealing with this great race problem. The bill, however, does not and will not, because the state legally can ,not prevent, Japanese control of our soil, nor can it stop further immigration.

If the measure is adopted, inasmuch as it prohibits only the acquisition of interests in real estate, it will not I fear forestall the ingenuity of legal counsel in enabling the Japanese to remain in control of their agricultural holdings under various forms of personal employment contracts. And in this respect I am advised that it is impossible for the state to enact constitutional legislation prohibiting personal employment contracts with Japanese on account of various provisions in our Federal constitution, recent decisions of the United States Supreme Court, and also certain provisions of the treaty between Japan and the United States.

This being as far as the state can go, however, it will and should, in my opinion, by an overwhelming majority of the voters, enact the proposed initiative legislation. And, in my opinion, as an expression of protest by Californians, as a declaration of the purpose of this present population of ours to maintain its own standards and ideals, as a plea to the citizens of all the states in the Union, many of whom, because they have no contact with the problem might seem to look upon it as an unsubstantial one at this time, every voter in this state will and should cast his ballot for the measure. And for these reasons, expressing both my personal views and, I believe, the views of the overwhelming majority of the people of the State of California, I hope for a vote at the November election that will emphasize to the rest of the nation the seriousness of the situation here today.

So far I have dealt with the subject only within the limits of state power. But as Governor of this state I should feel myself recreant in my duty to its people if I did not with the present evidence before me and which I transmit to you, make this solemn appeal to you as the spokesman of our country in its international relationship to use your good offices with the Empire of Japan that stricter provisions be immediately agreed upon, making impossible any further evasion or violation of the spirit of the existing arrangement. How these negotiations should be initiated does not lie within my province to suggest. Indeed, I am confident that with these facts thus officially laid before you, your own good judgment will dictate the next step to be taken towards the desired agreement or treaty.

Let me also add that in addition to this appeal which I make to you for further diplomatic action, I feel impelled by a sense of duty to lay before you the cause of the State of California at this time. The initiative legislation may possibly lead to diplomatic inquiries and correspondence between yourself and the Empire of Japan. Anticipating such a contingency, I am desirous of submitting to you in an official manner this question from the Californian and the American standpoint.

Inasmuch as I am seeking on behalf of the people of California to deal with this problem in a broad and final way, I deem it proper to advise you further that we feel the full solution of this question can not be had short of an exclusion act passed by Congress. It is my purpose, after transmitting this report to you, to communicate the information to our various Representatives and Senators in Congress that they may then be equipped to take up the cause of California and urge the passage of an exclusion act effectively disposing of this difficulty.

The exclusion act should, in my opinion, provide for the full exclusion of all Japanese, saving certain selected classes; it should further provide for the registration of all Japanese lawfully within the United States at the time that the act is passed; and further provide that the burden should be upon every Japanese within this country of proving his right to be here by the production of a certificate of registration. In this manner only do I believe that completely effective remedies can be found.

Japan should not take umbrage at us for adopting these measures. The like strict exclusion is today effective in every one of the British Colonies fronting on the Pacific Ocean and having contact with the Japanese. Nor has Japan's valiant service in the late war, which she entered originally as an ally of Great Britain, obtained for her people the slightest amelioration of these drastic British Colonial laws. The British white races on the Pacific will not tolerate a situation from which we are now suffering. Why then should we? Or why should our action seem so much more aggravated than that of Japan's ally, Great Britain?

Let me repeat that in submitting this report and transmitting this letter with its recommendations, the people of California only desire to retain the commonwealth of California for its own people; they recognize the impossibility of that peace-producing assimilability which comes only when races are so closely akin that intermarriage within a generation or two obliterates original lines. The thought of such a relationship is impossible to the people of California, just as the thought of intermarriage of whites and blacks would be impossible to the minds of the leaders of both races in the southern states; just as the intermarriage of any immigrant African would not be considered by the people of the Eastern States.

California is making this appeal primarily, of course, for herself, but in doing so she feels that the problem is hers solely because of her geographical position on the Pacific slope. She stands as one of the gateways for Oriental immigration into this country. Her people are the first affected, and unless the race ideals and standards are preserved here at the national gateway the conditions that will follow must soon affect the rest of the continent.

I trust that I have clearly presented the California point of view, and that in any correspondence or negotiations with Japan which may ensue as the result of the accompanying report, or any action which the people of the State of California may take thereon, you will understand that it is based entirely on the principle of race self-preservation and the ethnological impossibility of successfully assimilating this constantly increasing flow of Oriental blood.

I have the honor to remain,

Yours very respectfully,

Wm D. Stephens

Governor of California.

LETTER OF TRANSMITTAL.

His Excellency, WM. D. STEPHENS,
Governor of California,
Sacramento, California.

SIR: In compliance with your letter of instructions dated September 29, 1919, we submit herewith the report covering the oriental investigation made by this Board.

Respectfully submitted,

STATE BOARD OF CONTROL,
MARSHALL DEMOTTE, *Chairman,*
H. STANLEY BENEDICT,
CLYDE L. SEAVEY.

Sacramento, California,
June 19, 1920.

FOREWORD.

On September 29, 1919, the State Board of Control received the following letter from Governor Wm. D. Stephens:

STATE OF CALIFORNIA
GOVERNOR'S OFFICE
SACRAMENTO, September 29, 1919.

To the STATE BOARD OF CONTROL,
Sacramento, California.

GENTLEMEN: At the last session of the California Legislature (adjourned April 27, 1919) there was adopted Senate Concurrent Resolution No. 19, relating to the leasing of land in the state to persons ineligible to citizenship.

I desire to call your attention to this resolution, and in conformity therewith request you to make a thorough investigation and prepare an accurate, detailed and comprehensive report upon the subject. This report should include all necessary and pertinent facts and be of such nature that it may serve as an official and authentic document for the guidance of the state and national authorities in dealing with this question and in presenting California's attitude regarding the problems which have been the natural outgrowth of such conditions.

I would be pleased if for this report you would secure separate, specific and definite information concerning aliens constitutionally ineligible to citizenship in this state, and also concerning American-born children of such aliens, as follows:

The number of said aliens and the number of said children in each race subdivision, now here, engaged in agricultural pursuits, together with a statement showing what relation these present figures bear to those reported in the Federal Censuses of 1910 and 1900;

The total acreage of land held in fee by the separate race subdivisions of said aliens and of said children, and the extent these lands are cultivated by persons of their own race, together with a statement of the number of acres now controlled under lease or other contract by each race subdivision of said aliens and of said children and cultivated by them and so far as possible include comparisons with similar facts existing in previous years;

Such pertinent facts as you may be able to secure concerning the methods employed in securing land by lease or otherwise for cultivation, the character of the land, the tendency towards colonization in particular localities, the methods of financing such enterprises, etc.;

The number of said aliens in each race subdivision engaged in separate mercantile pursuits in this state, their business occupancy of certain districts, their methods of financing, their mode of living and their effect upon American owned establishments of like purpose;

The number of women of each race subdivision of said aliens that have immigrated into the state during the present year, also the rate of birth of the children in each race subdivision of said aliens and a comparison with previous years.

The value of the report will be not only in the reliable information furnished California and her Legislature but also in the presentation to the National Government and to the Congress of the United States the plain and authenticated facts and conditions now existing in California.

Whatever state of facts such investigation may disclose, the problems which arise from them do not present themselves exclusively to the people of California for solution, but are both federal and state in scope.

It is my hope that this problem can be handled along broad and effective lines of mutual correct understanding and good will, and to this end it is essential that the national authority be in possession of all the facts and circumstances concerning the situation now existing in this state, and to some extent also throughout the entire Pacific Coast. Inasmuch as the problem is believed to be more acute in California than in some of the other Pacific Coast states, I am of the opinion that it is the duty of California to collect, tabulate and present such information as is herein requested.

Yours very truly,

WM. D. STEPHENS,
Governor.

In compliance with the instructions contained in this letter, the State Board of Control submits the following report as a result of its investigations.

As these instructions call for facts only, this Board has not drawn any conclusions or suggested any recommendations.

In this work, the Board of Control received generous cooperation from Federal, State, County and Municipal Officers; from many civic organizations and individuals; and from the Japanese Government Officials and Japanese Associations in California.

STATE BOARD OF CONTROL.

ERRATA

On page 104, line 13, the word "Amounting" should read "Amounts."

On page 176, line 15, the word "January" should read "June."

On page 196, line 3, the word "DeBecker's" should read "Dornholm's."

On page 197, line 3 second paragraph, the word "they" should be omitted.

Section I.

POPULATION.

POPULATION.

The following pages contain:

(1) Oriental population in California, based on official records.

(2) Special census of Japanese population in California, taken by Japanese Association of America at request of Board of Control.

(3) Figures showing Oriental population in the two counties of Imperial and Solano as taken by special census of the Board of Control, and a separate census by the Japanese Association of America in California.

(4) Chart (1) showing per cent of increase in population of each race in California from 1910 to 1919.

(5) Chart (2) showing per cent of excess of births over deaths for each race in California from 1910 to 1919.

(6) Chart (3) showing minor population of California in 1910 and also in 1919.

(7) Total Japanese population in United States (continental) as shown by immigration reports only and without calculations for births and deaths, for 1910 and 1919 and showing increase.

(8) Figures allocating increase or decrease in Japanese population in California and the other states of the United States, showing that approximately two-thirds of the increase falls to California.

(9) Schedule taken from United States Immigration Reports showing excess of immigrant Japanese alien arrivals over emigrant Japanese departures, by years, from 1909 to 1919.

Note.—In order to make the report as brief as possible, introductory comment preceding each section is reduced to the minimum.

POPULATION.

Chinese and Japanese Population of California December 31, 1919.*

Explanation	Chinese	Japanese	Total
(1) Population April 15, 1910	36,248	41,356	77,604
(2) Immigrants admitted from April 15, 1910, to December 31, 1919	11,914	32,196	44,110
	48,162	73,552	121,714
(3) Emigrants departed from April 15, 1910, to December 31, 1919	11,125	7,110	18,235
	37,037	66,442	103,479
(4) Immigration from Hawaii from July 1, 1910, to June 30, 1919	108	506	614
	37,145	66,948	104,093
(5) Registered births from April 15, 1910, to December 31, 1919	3,741	27,828	31,569
	40,886	94,776	135,662
(6) Reported deaths from April 15, 1910, to December 31, 1919	7,615	7,497	15,112
Population as of December 31, 1919	33,271	87,279	120,550

(1) Determined by United States Census enumeration as of April 15, 1910. See Bulletin No. 127 of the Permanent Census Bureau, pages 7 and 25.

(2) Determined for the period from July 1, 1910, to June 30, 1919, from the annual reports of the Commissioner-General of Immigration and strictly confined to "immigrant" (as distinguished from "non-immigrant") aliens admitted, who indicated California as their intended future residence.

For the period from April 15 to June 30, 1910, an approximation was made based upon that season's proportionate share of total arrivals for the year reported, and applied to "immigrants" intending to reside in California as reported for the fiscal year ended June 30, 1910.

For the period from July 1 to December 31, 1919, "immigrant" arrivals admitted at the port of San Francisco are used in the absence of other available data.

(3) Determined for the period from July 1, 1910 to June 30, 1919, from the Annual Reports of the Commissioner-General of Immigration and strictly confined to "emigrant" (as distinguished from "non-emigrant") aliens departed, who gave California as their last permanent residence.

For the period from April 15 to June 30, 1910, and from July 1 to December 31, 1919, respectively, the methods described under Note 2 were employed in the determination of the number of emigrants for those periods.

(4) Determined, for the period indicated from the Annual Reports of the Commissioner-General of Immigration for 1914 to 1919. For the period from July 1, 1910 to June 30, 1914, the proportion of arrivals destined to California from July 1, 1907 to June 30, 1914, was applied.

(5) Determined from the official records of the State Board of Health. To exclude period from January 1 to April 15, 1910, 7/24 of the total reported for the calendar year 1910 was subtracted. Figures for 1919 are subject to negligible changes.

(6) Same as Note 5.

*Figures do not take into consideration possible increase in population by smuggling or illegal entry, nor do they include the large number of arrivals from Hawaii of Japanese who acquired American citizenship by birth on the Islands or as residents when Hawaii was annexed by United States. These latter come into California as American citizens, moving from one part of United States to another, without being listed on immigration records.

CHART 1.

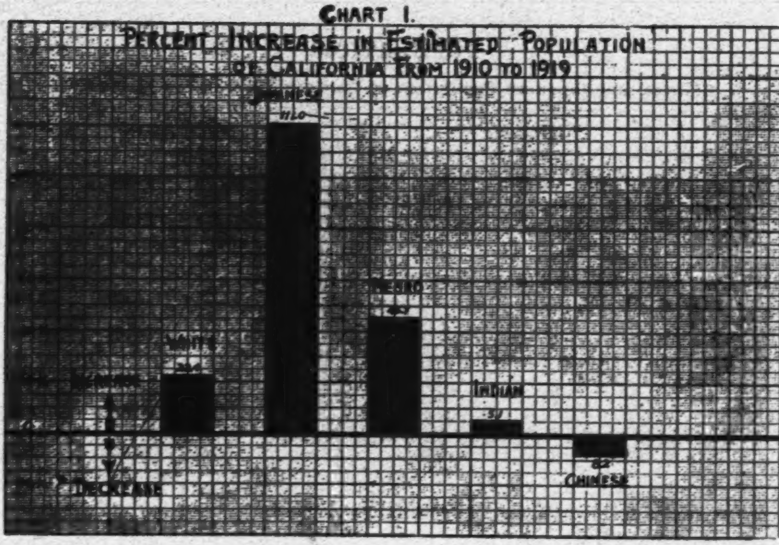
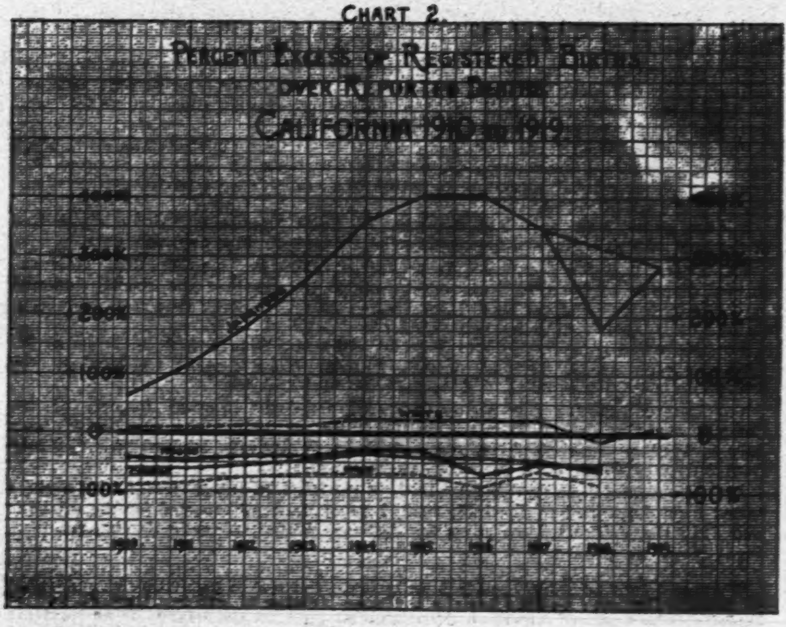


CHART 2.



The foregoing figures show the Japanese population in California, April 15, 1910, to be 41,356, and on December 31, 1919, 87,279, an increase from 1910 to 1919 of 45,923, or 111 per cent. This increase consists of 25,592 net *by immigration* and 20,331 net *by birth*. The figures for total Japanese population in 1919 being based upon reports of immigration and emigration, births and deaths, necessarily include those American-born Japanese who have temporarily returned to Japan upon business trips or for the purpose of completing an education. Because, until recent years, immigration authorities made no distinction in their records of departures between classes of American-born citizens, there is no segregation on the immigration records between an American-born citizen of American parents and American-born citizens of Japanese parents.

At the request of the State Board of Control, the Japanese Association of America, through its various local associations in California, made a special census of Japanese population in California during 1919 which census was completed March, 1920. The total of this census was 78,628 Japanese residing in California. To this should be added the number of American-born Japanese now temporarily in Japan for the purpose of completing their education, estimated by the Japanese Association of America at about 5000. This makes a total of 83,628 by the Japanese Census as compared with 87,279 hereinbefore given from figures of Federal Immigration Reports and Vital Statistics, State Board of Health.

The above figures also show that, as to the Chinese, there were in the State of California in 1890, thirty years ago, 72,472 Chinese, and in 1919 there were 33,271. It is interesting to note this large decrease in Chinese population in comparison with the considerable increase in Japanese population, as it may reflect the effectiveness of the Chinese Exclusion Act in excluding the Chinese immigrants and indicates the reverse as to the so-called "Gentlemen's Agreement" with Japan, in restricting Japanese immigration.

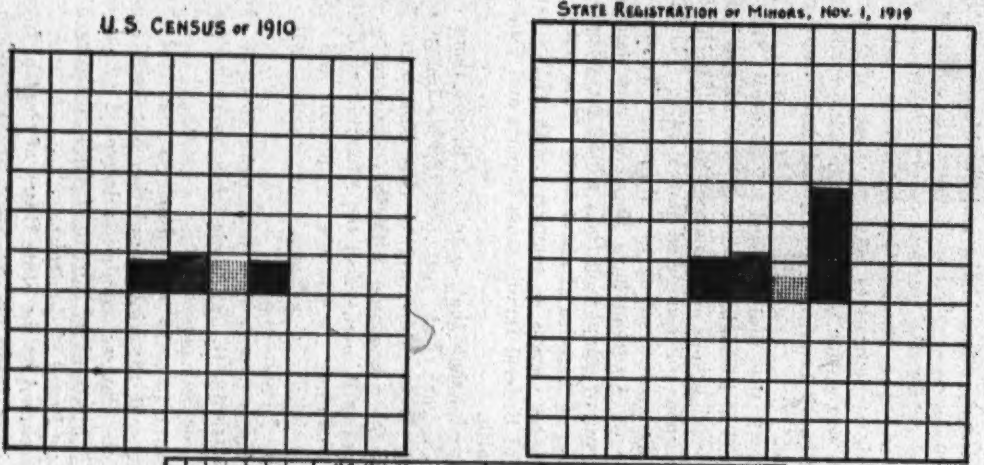
As to Hindus, census reports show none prior to 1910. In 1910 the census shows 1948 Hindus in California while in 1919 there are 2600, an increase of 652, or 33.5 per cent.

During the period 1910 to 1919, the Japanese increased 111 per cent, the Hindu 33.5 per cent, the white population increased approximately 22.4 per cent and the Chinese population decreased 8.2 per cent. (See charts Nos. 1 and 2, prepared by Bureau of Vital Statistics, State Board of Health, and State Board of Control.)

From figures developed by the State Board of Control from the total registration of minors made by the State Superintendent of Public Instruction as required by act of the 1919 Legislature, the minor population of Orientals in the state on November 1, 1919, was as follows: Japanese 21,611, an increase of 252 per cent over 1910, the Chinese

CHART 3.

MINOR POPULATION OF CALIFORNIA, 1910 AND 1919.



RACE		U.S. 1910 CENSUS MALES UNDER 21, FEMALES UNDER 18		STATE REGISTRATION OF MINORS '919		INCREASE & DECREASE	
		NUMBER	% OF TOTAL	NUMBER	% OF TOTAL	NUMBER	%
WHITE	□	739,042	96.6	875,831	95.2	+136,789	+ 18.5
NEGRO	■	6,357	0.8	8,650	0.9	+ 2,293	+ 36.1
INDIAN	■	7,473	1.0	9,129	1.0	+ 1,656	+ 22.2
JAPANESE	■	6,139	0.8	21,611	2.4	+ 15,472	+252.0
CHINESE	▨	5,835	0.8	4,805	0.5	− 1,030	− 17.6
TOTAL		765,026*	100.0	920,026	100.0	+155,000	+ 20.5

minor population was 4805, a decrease of 17.6 per cent. The white minor population showed an increase of 18.5 per cent. (See Chart No. 3, prepared by State Board of Control from vital statistics of State Board of Health and reports of State Superintendent of Public Instruction.)

For general information and purposes of comparison, the State Board of Control and the Japanese Association of America each took an independent census of two selected counties, completing the work in March, 1920, with the following results:

	Japanese	Chinese	Hindus	Total
Imperial County—				
Board of Control	2,220	100	495	2,815
Japanese Association	2,468			
Solano County—				
Board of Control	1,043	856	91	1,990
Japanese Association	974			

JAPANESE POPULATION OF THE UNITED STATES (CONTINENTAL).

Changes by immigation only. Births and deaths not considered.

The following figures show net increase or decrease in Japanese population caused by arrival and departure of Japanese in continental United States as a whole and separately for California and the remainder of continental United States:

	California	All other states	Total United States
Japanese population April 15, 1910	41,356	30,801	72,157
Arrivals April 15, 1910, to December 31, 1919	*32,702	45,681	78,383
	74,058	76,482	150,540
Departures April 15, 1910, to December 31, 1919	†7,110	56,554	63,664
Totals—December 31, 1919	66,948	19,928	86,876

*Immigrant Japanese admitted only.
†Emigrant Japanese departed only.

No data is available covering interstate migration of Chinese or Japanese.

The above figures concern recorded arrivals and departures only and do not take into consideration increases or decreases by births or deaths, or increases due to smuggling and surreptitious entry.

Allocation of Increase and Decrease in Population.

	California	All other states	Total United States
December 31, 1919—total Japanese	66,948	19,928	86,87
Less Japanese population April 15, 1910	41,356	30,801	72,15
Net increase by reason of immigration	25,592		
Net decrease by reason of emigration	----------	—10,873	
Net increase and decrease	25,592	—10,873	14,71

NOTE—Under immigration practice, every Japanese, as an immigrant alien, mus designate on arrival his intended future residence in the United States, and eacl Japanese emigrant alien, upon departure, must designate the place of his las permanent residence in the United States.

The above figures show that, during the period named, 32,702 Japanes immigrant arrivals designated California as their intended futur residence, while 7110 Japanese emigrant departures named California a their last permanent residence. It would therefore appear that th Japanese population in California increased by immigration only, dur ing the period mentioned, 25,592, which is the difference between thes Japanese immigrant arrivals and these Japanese emigrant departure

The Japanese arrivals, both immigrant and non-immigrant, for all o the other states of the United States, outside of California during th period mentioned, were 45,681, and the Japanese departures, bot emigrant and non-emigrant, were 56,554, leaving a net decrease, b emigration, of 10,873 Japanese in all the states outside of California the result in the United States as a whole, including California, bein a net increase of 14,719 Japanese. It therefore appears that th Japanese population in California *increased* 25,592, but in all of th other states of the United States it *decreased* 10,873.

Perhaps, in this last-named fact may be found the reason that make Oriental immigration a live subject of continued consideration i California.

Because of the impossibility of allocating to the different states of the United States the non-immigrant arrivals and non-emigrant departures, the following table, covering the regular immigration report years 1910 to 1919, shows the excess of immigrants remaining permanently in continental United States. The total shown is 36,989, of which 23,708, or 64.1 per cent, falls to California.

(Observe that the dates of the periods given in the foregoing table and the following table do not coincide exactly.)

POPULATION.

Excess of Immigrant Japanese Aliens Admitted to United States over Emigrant Japanese Aliens Departed, July 1, 1909, to June 30, 1919.

Year ended June 30	Total United States	Outside of Continental United States	Continental United States	State of California		All other states
				Number	Per cent	
1910	*1,579	*393	*1,186	*1,109	*93.5	*77
1911	1,224	972	252	45	17.9	207
1912	4,671	2,295	2,376	1,568	66.0	808
1913	7,569	3,846	3,723	2,390	64.2	1,333
1914	8 147	3,605	4,542	3,129	68.9	1,413
1915	7,784	2,525	5,259	3,798	72.2	1,461
1916	7,931	2,739	5,192	3,676	70.8	1,516
1917	8,203	3,094	5,109	3,196	62.6	1,913
1918	8,610	2,607	6,003	3,529	58.8	2,474
1919	7,929	2,210	5,719	3,486	61.0	2,233
Totals	60,489	23,500	36,989	23,708	64.1	13,281

*Starred figures indicate excess of emigrants over immigrants.

Nearly two-thirds of the excess falls to California. (This means an average of approximately two-thirds of the excess of all Japanese immigrants over emigrants coming to the United States, came to California during the ten-year period indicated above.)—*From U. S. Immigration Reports.*

Section II.

BIRTH RATE.

BIRTH RATE.

In the following section appear:

(1) Figures giving total births of Japanese and Chinese for the separate years of 1910 and 1919 and also the total births for these two races for the ten years 1910 to 1919. Japanese increased from 719 births in 1910 to 4378 births in 1919.

(2) Relation of Japanese births to total births in the state given both as of 1910 and the increase as of 1919, showing in 1919 that one out of every 13 children born in California is Japanese.

(3) Percentage of Japanese births as to total births in 18 selected agricultural counties of the state for the year 1910 and the year 1919, shown on Chart 4, showing that 12.3 per cent of total births in 1919 in these counties were Japanese.

(4) Percentage of Japanese births to total births in Sacramento County for the year 1919, showing in rural parts of county in 1919 that 49.7 per cent of all births were Japanese.

(5) Table giving registered births of all races in California, with percentage of the total born to each race, for years from 1910 to 1919. This shows whites decreased in this period from 96.13 per cent of the total to 90.86 per cent, while the Japanese increased from 2.24 per cent of the total to 7.82 per cent.

(6) Statement of Japanese Association of America expressing belief that Japanese birth rate is not higher than that of other races.

(7) Relative fecundity of whites and Japanese. Tabulation from United States Census, 1910, giving total number of married white women in California. Tabulation giving birth rate among the white women shown by this United States Census as compared to the birth rate among the Japanese married women in the State of California shown on the special census in 1919 by Japanese Association of America. Percentage of births to white women shown to be 9.9 per cent while the number of children born to Japanese women averaged 28.8 per cent.

BIRTHS.

The following data relative to births of Japanese and Chinese in the years 1910 and 1919 and showing the total births for each of the two races for the ten-year period 1910-1919, compiled from data of Bureau of Vital Statistics of the State Board of Health, indicates the increases in those races for the period and the comparison between the number of Japanese births and the total births in the state:

(a)

Race	Births 1910	Births 1919	Total for ten years 1910-1919
Japanese	719	4,378	28,037
Chinese	277	432	3,822

(b) In 1910, Japanese births represent 1 out of every 44 children born in the state. In 1919, Japanese births represent 1 out of every 13 children born in the state.

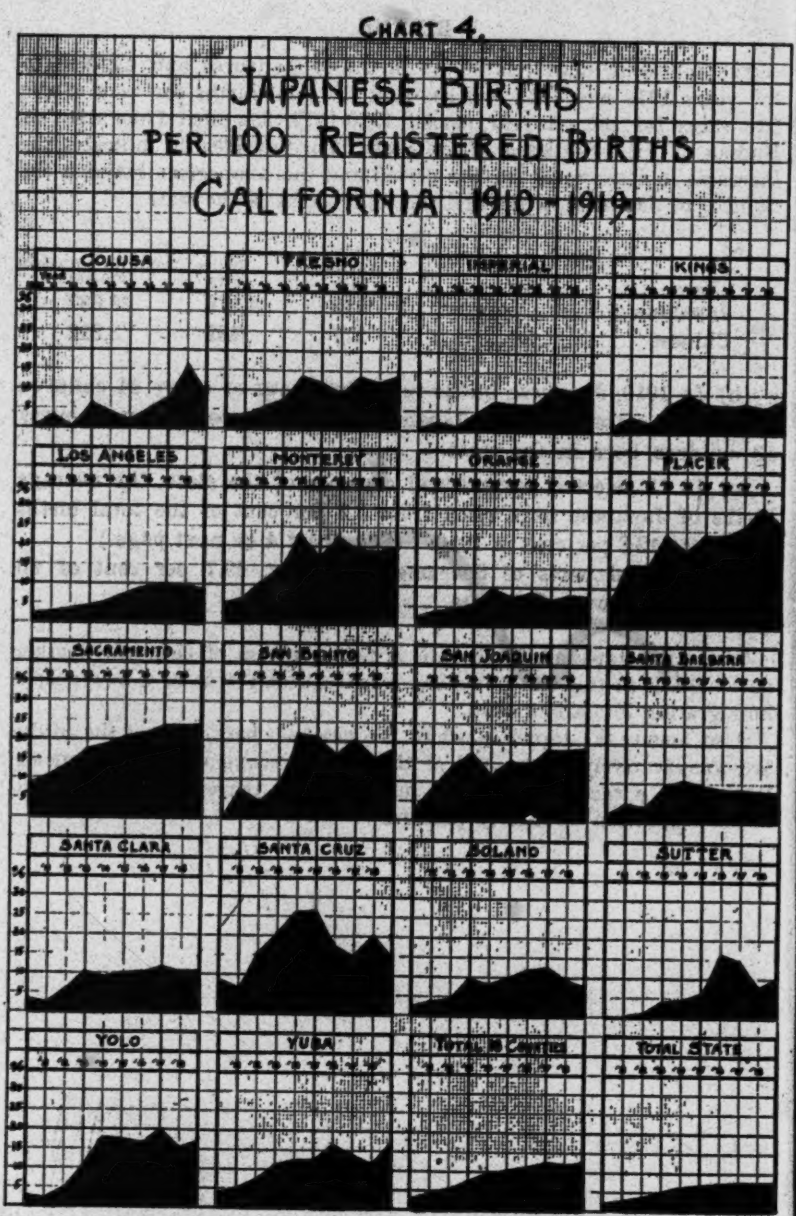
(c) In 18 selected agricultural counties of the state, the average births of Japanese have risen from 3.2 per cent of the total births in 1910 to 12.3 per cent in 1919. (See Chart 4 on next page.)

In the rural parts of Sacramento County, 49.7 per cent of all births in 1919 were Japanese.

While the Japanese birth rate is far in excess of that of all other nationalities in this state, this is not infrequently true of a new people immigrating into a new land.

Also, among the Japanese, which is a new race here, most of the adults are comparatively young and of the family-raising ages, while among the whites, a race long resident in California, there is necessarily the usual proportion of elderly persons.

CHART 4.



Eighteen selected agricultural counties of California.
Black portions indicate percentage of Japanese births.

The following table gives the registered births of all races in California, together with percentage of each for the years 1910 to 1919.

REGISTERED BIRTHS IN CALIFORNIA.

Bureau of Vital Statistics of the State Board of Health, 1910 to 1919.

Number of Births.

Year	Total	Whites	Japanese	Negro	Chinese	Indians
1910	32,138	30,893	719	232	277	17
1911	34,828	33,245	995	258	307	28
1912	39.330	37,194	1,467	319	321	29
1913	43,852	40,864	2,215	343	381	49
1914	46,012	42,281	2,874	388	418	51
1915	48,075	43,874	3,342	392	429	38
1916	50,638	46,272	3,721	199	425	21
1917	52 230	47,313	4,108	328	419	62
1918	55,922	50 936	4,218	262	413	43
1919*	56,019	50,898	4,378	256	432	†55
Totals	459,044	423,820	28,037	2,977	3,822	388

Per Cent of Total Births.

Year	Total	Whites	Japanese	Negro	Chinese	Indians
1910	100.0	96.13	2.24	.72	.86	.05
1911	100.0	95.45	2.86	.74	.88	.07
1912	100.0	94.57	3.73	.81	.82	.07
1913	100.0	93.19	5.05	.78	.87	.11
1914	100.0	91.89	6.25	.84	.91	.11
1915	100.0	91.26	6.95	.82	.89	.08
1916	100.0	91.38	7.35	.39	.84	.04
1917	100.0	90.59	7.87	.63	.80	.11
1918	100.0	91.17	7.54	.47	.74	.08
1919*	100.0	90.86	7.82	.46	.77	†.09

The above table shows decrease in births of whites from 96.13 per cent of the total in 1910 to 90.86 per cent of the total in 1919. The figures also show an increase in Japanese births from 2.24 per cent of the total in 1910 to 7.82 per cent of the total in 1919.

BIRTH RATE.

Concerning the subject of birth rate the Japanese had the following to say in their written memorial to the President of the United States prepared by the Japanese Association of America (in California) during the President's last trip to the Coast in 1919:

> **"Of late, much eloquence has been spent in condemning the Japanese birth rate. It is alleged that the Japanese power of fecundity is notoriously high, furnishing ground for the fear that the Japanese will become the dominating race in California. The white races will be driven from the land. Hence the terrible "yellow peril"!**

---

*Subject to slight corrections by reason of incomplete reports.

†Includes other races.

But in reality, we are not even certain that the birth rate among the Japanese is very high. We have no statistics to prove it. No one, so far as we know, has studied this subject scientifically. No one has given us statistics showing even elementary facts such as sex distribution, marital condition, age composition, etc., of the Japanese population. Yet without these facts we can not make a comparative study of the birth rate between any two races. But let it be granted, for the sake of expediency, that the Japanese birth rate in California is higher than, say, the American birth rate. Even if this is true, it can not be established as a racial trait of the Japanese. It is probably due to their inferior social, economic and intellectual status. The ignorant always suffer from high birth rate, which are always accompanied by high death rates. But as they advance, their power of fecundity falls. This is an established fact. The birth rate among "old" immigrant races is fast falling. As the Japanese emerge from their present status, their birth rate too will surely fall. (See Appendix, page 203.)

Relative Fecundity.

As to the relative fecundity of Japanese and white women, the figures following are submitted:

MARRIED WHITE WOMEN IN CALIFORNIA. (IN AGE GROUPS.)

United States Census—1910.

Ages	Women
15 to 24 years	54,773
25 to 44 years	258,508
45 years and over	132,315
Totals	445,596

The above figures show 313,281 married white women in California in 1910 under 45 years of age, of the usual child-bearing ages.

MARRIED JAPANESE WOMEN IN CALIFORNIA.

Special Census in 1919 by Japanese Association of America.

Northern California	8,704 married Japanese women
Southern California	6,507 Japanese women
Total	15,211

The marital condition of the 6507 Japanese women in Southern California was not shown, but they were enumerated in a separate class from the children of both sexes ranging from 1 to 19 years of age. Inasmuch as these Japanese women are classified as above 19 years of age, it will be assumed, for purposes of comparison, that they are all married and of child-bearing ages. In so doing, the possibility of overstating the birth rate is practically eliminated and the results of such comparison would be favorable to the Japanese.

The following table shows the number of children born to these white women and these Japanese women, together with percentages of births in each race:

Year	Married women	Race	Number of births	Per cent of births to mothers
1910	313,281	White	30,893	9.9
1919	15,211	Japanese	4,378	28.8

On this basis, the fecundity of the Japanese is nearly three times that of the whites. If it were possible to select, for more accurate comparison, those white married women who were of a social, economic, and intellectual status similar to that of the Japanese, the disparity in birth rates would undoubtedly be less marked.

There are approximately three times as many Japanese men as there are Japanese women in California. Considering the high birth rate, under present conditions, what would it be, were there Japanese women in California sufficient for each Japanese man to establish a household?

JAPANESE MEN AND WOMEN IN CALIFORNIA.

Preponderance of Men Over Women.

Total Japanese population in California		87,279
Minor Japanese children in California	21,611	
Minor children temporarily in Japan for education	5,000	
Adult Japanese women in California	15,211	
		41,822
Total Japanese men in California		45,457

There are, therefore, 45,457 men to 15,211 women, or about 3 to 1.

Section III.

LAND.

LAND.

The pages immediately following show:

(1) Total land area of California. Classification of these lands. Lands occupied by Orientals, showing total of 623,752 acres occupied by Orientals. Of this total, Japanese themselves state they occupy 427,029 acres, which is an increase of 412.9 per cent in the past ten years. Including holdings of Japanese-controlled corporations, the total acreage occupied by Japanese is 458,056 acres.

(2) Total irrigated acreage in each county of the state and the portion occupied by Orientals in each county, which ranges from 50 per cent to 75 per cent of the total in some counties.

(3) Crops produced in California in 1919, prepared by United States Department of Agriculture, Bureau of Crop Estimates, giving summary of kinds of crops and total values of each.

(4) Acreage planted and farm products raised by Japanese in the two years 1909 and 1919. Figures for 1909 compiled by State Bureau of Labor Statistics and those for 1919 compiled by Japanese Association of California. An increase in value of Japanese-grown products of 976.8 per cent is shown in past 10 years.

(5) The percentage of the total of each crop delivered to the canneries that is supplied by the Japanese growers.

(6) Relief map of State of California, showing principal agricultural districts occupied by Orientals.

(7) Five land maps of five of the richest agricultural districts in California showing in black the lands occupied by Orientals.

(8) Expression of County Horticultural Commissioners and County Farm Advisers on character of land occupied by Orientals, how leased, whether whites would farm these lands, and other pertinent facts.

(9) Land Legislation. California Alien Land Law in full. Digest of Alien Land Laws of Washington, Arizona, Mexico, Australia, Japan, Hawaiian Islands and Philippine Islands.

(10) Japan has ample undeveloped lands for her population.

LANDS

The major recommendations [illegible] following [illegible]

(1) [illegible] lands [illegible] by [illegible] of [illegible] acres [illegible] per cent [illegible] the present [illegible]

(2) [illegible] of the State and the [illegible] which ranges from 50 per cent to [illegible] per cent [illegible]

(3) [illegible] in Oklahoma in 19[illegible] [illegible] Department of Agriculture [illegible]

(4) [illegible] in 1935 and 1936 [illegible]

(5) [illegible]

(6) [illegible]

(7) [illegible]

(8) [illegible] County [illegible]

(9) [illegible] Land [illegible]

(10) [illegible]

LAND.*

		Acres
Total land area of California		99,617,280
Consisting of:		
National forests (not including private lands within them)	18,418,643	
Unappropriated public lands (July 1, 1919)	20,239,977	
Indian reservations	463,041	
State school lands (December 31, 1919)	745,798	
Private timber holdings	4,555,941	
Miscellaneous	27,262,436	
Farm lands	27,931,444	
		99,617,280

Farm lands classified as follows:	
Unimproved	16,541,550
Improved	11,389,894
Irrigated	3,893,500
Unirrigated	7,496,394

Oriental occupancy is as follows:	City lots	Acres
Owned by Japanese or bought on contract	1,036	74,769
Owned by Chinese	546	12,076
Owned by Hindus	11	2,099
Totals	1,593	88,944

Under lease or crop contract:		
Japanese	383,287	
Chinese	65,181	
Hindus	86,340	
Total	534,808	
Total acreage occupied by Orientals		623,752

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*Taken from official reports of U. S. Government, State Surveyor General, Federal Census, and Federal Irrigation Manager.

NOTE.—Japanese holdings include lands owned, leased, or under contract of purchase by corporations controlled by Japanese.

DECEMBER 31, 1919.

Counties	Total irrigated acreage occupied by whites and Orientals*	Lands occupied by Orientals, both irrigated and unirrigated†					
		Japanese		Chinese		Hindus	
		Owned	Leased	Owned	Leased	Owned	Leased
Alameda	8,700	1,150	2,640	----	80	----	----
Alpine	4,000	----	----	----	----	----	----
Amador	1,000	----	147	----	----	----	----
Butte	85,000	4,943	10,840	91	800	775	4,220
Calaveras	1,500	----	----	----	----	----	----
Colusa	70,000	145	22,290	820	17,610	----	10,240
Contra Costa	30,000	705	5,681	----	1,153	----	1,212
Del Norte	----	----	----	----	----	----	----
El Dorado	4,500	----	337	----	----	----	----
Fresno	575,000	14,006	15,906	1,065	460	190	540
Glenn	70,000	----	14,096	----	960	----	13,915
Humboldt	500	----	----	----	----	----	----
Imperial	425,000	808	33,470	----	80	----	32,310
Inyo	80,000	----	----	----	----	----	----
Kern	200,000	2,381	----	40	----	----	----
Kings	160,000	1,067	8,650	560	2,580	----	1,000
Lake	700	----	----	----	----	----	----
Lassen	75,000	----	----	----	----	----	----
Los Angeles	247,000	1,616	42,911	19	2,130	----	----
Madera	60,000	1,080	440	160	----	60	80
Marin	100	----	----	----	----	----	----
Mariposa	500	----	----	----	----	----	----
Mendocino	1,000	----	5	----	----	----	----
Merced	170,000	8,720	2,090	10	----	----	----
Modoc	90,000	----	----	----	----	----	----
Mono	40,000	----	----	----	----	----	----
Monterey	35,000	107	9,462	23	2,270	----	----
Napa	1,500	34	----	----	----	----	----
Nevada	5,000	3 0	----	543	----	----	----
Orange	65,000	250	15,921	50	90	----	----
Placer	19,000	2,638	12,610	40	1,033	----	----
Plumas	30,000	----	----	----	----	----	----
Riverside	85,000	99	866	5	----	----	600
Sacramento	80,000	1,550	46,006	1,706	12,905	75	2,529
San Benito	7,000	136	4,769	----	----	----	----
San Bernardino	70,000	88	63	----	----	----	----
San Diego	25,000	85	1,756	102	----	----	----
San Francisco	500	----	----	----	----	----	----
San Joaquin	130,000	17,796	51,884	5,703	16,125	423	3,898
San Luis Obispo	2,000	----	13,647	----	----	----	----
San Mateo	4,000	33	1,615	----	15	----	2,000
Santa Barbara	20,000	----	2,759	40	10	----	----
Santa Clara	50,000	843	4,284	----	----	----	----
Santa Cruz	1,500	343	----	----	----	----	----
Shasta	20,000	----	----	2	----	----	----
Sierra	20,000	----	----	----	----	----	----
Siskiyou	65,000	----	----	----	----	----	----
Solano	5,000	678	10,865	359	1,920	----	----
Sonoma	4,000	1,887	850	----	----	----	----
Stanislaus	270,000	2,947	5,755	----	----	----	----
Sutter	45,000	790	16,691	----	752	443	6,901
Tehama	20,000	----	1,296	----	220	----	----
Trinity	7,000	----	----	----	30	----	----
Tulare	295,000	5,306	1,794	562	180	131	20
Tuolumne	2,500	----	----	----	----	----	----
Ventura	40,000	1,944	2,356	177	----	----	----
Yolo	60,000	109	7,537	----	640	----	----
Yuba	15,000	171	10,910	----	8,158	----	6,800
Totals	3,893,500	74,769	383,287	12,076	65,181	2,097	86,335

*Prepared by Frank Adams, Federal Irrigation Manager for California.

†From County Records, County Assessors, Tax Collectors, Farm Advisers and Horticultural Commissioners.

SUMMARY.

California Crop Production, 1919. U. S. Department of Agriculture, Bureau of Crop Estimates.

Crop	Value	Crop	Value
Corn	$4,906,312	Peaches	$25,901,000
Wheat	33,080,107	Pears	8,098,000
Barley	42,561,876	Apricots	13,564,000
Oats	4,942,201	Prunes	31,344,000
Potatoes (white)	18,288,969	Plums	2,575,200
Hay	75,889,000	Cherries	1,860,000
Beans	21,322,252	Walnuts	14,840,000
Grain sorghums	6,747,242	Almonds	2,998,600
Sugar beets	10,632,852	Figs	2,537,500
Rice	20,877,770	Oranges	45,833,000
Cotton	21,011,000	Lemons	11,359,000
Onions	2,635,000	Raisins	35,658,000
Truck crops	11,710,000	Grapes (wine and table)	16,485,000
Cantaloupes	5,587,000		
Sweet potatoes	1,997,000	Total	$507,811,881
Apples	12,568,000		

JAPANESE FARM PRODUCTS—1909 AND 1919.

Figures for 1909 Compiled by State Bureau of Labor Statistics; Figures for 1919 Compiled by Japanese Agricultural Association of California.

Kind of crop	Acreage		Value of products	
	1909	1919	1909	1919
Berries	4,587	5,949	$729,731	$3,629,400
Celery	--------	3,518	--------	1,105,400
Asparagus	--------	10,027	--------	1,804,860
Seeds and nursery	652	16,847	206,770	3,369,400
Onions	--------	9,883	--------	3,459,050
Tomatoes	--------	7,916	--------	1,068,660
Sugar beets	5,653	51,224	271,050	4,800,360
Cantaloupes	--------	13,481	--------	2,822,150
Green vegetables	33,467	44,188	2,517,160	10,997,000
Potatoes	--------	17,663	--------	5,296,900
Hops	273	1,260	46,000	743,400
Grapes	9,657	54,246	435,350	8,136,900
Beans	--------	41,500	--------	2,525,000
Fruits and nuts	23,139	46,930	1,753,210	8,457,400
Hay, grain, corn	910	43,284	28,530	2,611,100
Rice	--------	24,000	--------	3,600,000
Cotton	193	13,000	17,100	1,950,000
Miscellaneous	4,722	3,011	230,955	766,750
Unimproved	--------	18,402	--------	--------
Totals	83,253	427,029	$6,235,856	$67,145,730

Increase from 1909 to 1919 in *lands* occupied by Japanese—412.9 per cent.

Increase from 1909 to 1919 in *value of crops* raised by Japanese—976.8 per cent.

NOTE—In 1909 their activities were centered in 23 counties; now in 29 counties, the additional counties being Butte, Colusa, Glenn, Yuba, Merced and Stanislaus. The only additional crops are rice, cotton and cantaloupes, the remaining crops not specifically tabulated in 1909 being included in the groups "Green vegetables" and "Miscellaneous."

PERCENTAGE OF TOTAL OF EACH CROP DELIVERED TO CANNERIES THAT IS SUPPLIED BY JAPANESE GROWERS.

Tomatoes.

	Per cent
Sacramento District	80
(Fully 50 per cent is operated exclusively by Japanese while another 30 per cent is dependent on Japanese labor with whom the American owners are in partnership on a share basis. These two, taken together, make up the 80 per cent.)	
Turlock District	79
Santa Clara Valley District	60
Kings County District	50
Suisun District	31

Asparagus.

Sacramento District	61

Spinach.

Sacramento District	78
Kings County District	90
Santa Clara County District	82
Modesto District	100

Other Vegetables.

Sacramento District	90
Santa Clara Valley District	100

Peaches, Pears, Apricots, Plums, Cherries.

Sacramento District	7
Turlock District	6
Graton District	2
Kings County District	45
Suisun District	14
Yuba City District	9
Alameda District	8
Santa Clara Valley District	3
Modesto District	2
Contra Costa District	1

LAND.

The preceding statistics show 3,893,500 acres now being *irrigated* in California which comprise, very largely, the best lands in the state. Of this total, Orientals, on December 31, 1919, occupied 623,752 acres, approximately 16 per cent of the total, of which 88,944 was owned in fee or under contract of purchase and 534,808 acres was held by lease or crop contract. Japanese and Japanese corporations occupy 458,056 acres of the whole total.

While it is not absolutely true that all lands occupied by Orientals are irrigated, this is so nearly the fact that for all practical calculations, the figures given for Oriental holdings may be taken as irrigated lands. A few counties, notably San Luis Obispo and Solano, show Orientals occupying considerably more acreage than the total number of irrigated acres given in the schedule for these counties. However, the very nature of the crops raised by the Orientals necessitates irrigation.

With this slight qualification in mind, it is interesting to note that in some of the richest counties in the state, Orientals occupy a total acreage ranging from fifty to seventy-five per cent of the total irrigated area, notably San Joaquin County with a total of 130,000 irrigated acres with Orientals occupying 95,829 acres; Colusa County with a total of 70,000 with Orientals occupying 51,105; Placer County with 19,000 total, Orientals occupying 16,321; and Sacramento County with 80,000 total, Orientals occupying 64,860.

It is but fair to state again that this comparison is not absolutely accurate because the total irrigated areas given on land Schedule No. 2 are actual *irrigated* lands, whereas the totals of acreage occupied by Orientals in each county include all acreage *irrigated* and *unirrigated* occupied by Orientals. However, very little grain crops or other unirrigated crops are raised by Orientals and a very small percentage of the total acreage occupied by Orientals is uncultivated and without crops of any kind; the total idle acreage uncropped being about 6¾ per cent of the total acreage occupied by Orientals.

Under the schedule of Japanese Farm Products, the figures compiled by the State Bureau of Labor Statistics for 1909 show the total acreage occupied by Japanese at that time to be 83,252 and the acreage shown for the year 1919 by the Japanese Agricultural Association of California is 427,029*, an increase in the ten year period of 412.9 per cent. The report for crop valuations for 1909 shows $6,235,856 and for the year 1919 a total of $67,145,730, a total increase in value of crops raised by Japanese during the ten year period, of 976.8 per cent. Because of the character of the crops raised by Japanese, their activities are confined almost entirely to twenty-nine counties in the state, these being the highly developed agricultural sections.

According to the Japanese Association of America in their memorial address to the President of the United States upon his visit to the Coast in 1919, "The Japanese in agriculture constitute the most important element in number as well as in other respects," this statement having been made in reference to Japanese in California.

Mr. Toyoji Chiba, Managing Director of the Japanese Agricultural Association of California, says in his Truth of the Japanese Farming in California that 58 per cent of the Japanese living in California are settled in agricultural production in the country.

Should the American farmer view with alarm this rapid increase in agricultural lands occupied by Orientals, with the attendant increase in total annual crop valuations?

Japanese Proud of Achievements.

The Japanese, themselves, point with pride to their achievements in agricultural pursuits in California and declare that their efforts in agricultural development have enhanced land values and have served to furnish an important part of the food supply of the state. In the memorial address to the President of the United States, heretofore mentioned. the Japanese Association of America points out the magnitude and success of the rice industry in California, following its statistics upon the subject with this language:

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*Does not include about 31,000 acres being bought under contract by Japanese-controlled corporations.

"Japanese were not the first to try rice in California, but they were the first to make it a commercial proposition. They were the first to apply with practical success the experimental results of the government rice station at Biggs. And they were the ones who stuck to rice through all the years before the industry emerged from its uncertainties and became firmly established."

"The Japanese demonstrated success and the American farmers who have since been getting rich out of the industry and who now greatly outnumber the Japanese rice planters, must admit that their prosperity is founded on the structure built by the daring and persistence of the Japanese."

"There is something more. This pioneering developed a huge food production on land that in most cases will not grow anything else. It is admitted that the rice industry has been created out of nothing."

Speaking further of Japanese agricultural activities in other localities, the memorial states, "Again, vast acres along the lower Sacramento and the San Joaquin reclaimed from an original condition of swamp and tule beds; long reaches of orchard and vineyard on the east side of the San Joaquin and Sacramento valleys developed from a semi-desert, where at the best only crops of hay or grain were produced before; great areas of garden and orchard in the Santa Clara Valley which, in like fashion, have sprung up on former hay fields; and many other improvements in various parts of the state testify to the pioneering of the Japanese."

Speaking of the character of the crops raised by Japanese, Mr. Chiba, Managing Director of the Japanese Agricultural Association, in his article heretofore mentioned, has the following to say when referring to the proportion of the total farm products of the state which Japanese raise.

"Ten per cent of the total output (in 1918) was produced by Japanese. Of this 10 per cent of farm products, those with which Japanese have most to do are truck crops, such as strawberries, asparagus, celery and tomatoes, of which 80 per cent to 90 per cent of the entire output in the state is produced by Japanese. But these crops all require a stooping posture, great manual dexterity and painstaking methods of work which other laborers with long legs unsuitable for stooping can not endure. Not only this, but this is a kind of farming which Americans and immigrants from Europe dislike to follow. Hence, it is perfectly clear that if the Japanese had nothing to do with this kind of farming the output of such products in California would be reduced more than half. In the growing of canteloupes which are produced in the United States only in localities with the hottest climates, like the Imperial Valley in California and Rocky Ford in Colorado, where they are mostly produced, the heat at ripening time is intense, especially in the Imperial Valley, where it exceeds 140 degrees Fahrenheit."

LAND MAPS

Showing

ORIENTAL OCCUPANCY

On the following page is given a relief map of California, showing mountain ranges and the valley lands capable of intense cultivation. On this map has been drawn five squares, outlining five of the richest agricultural districts in California occupied by Orientals.

The map shows considerable mountain areas, and of the valley lands there are but 3,893,500 acres now under irrigation. It is on these lands, the best in the State, that the Oriental has colonized and now occupies 623,752 acres, of which 458,056 acres are occupied by Japanese.

On pages following this relief map are five different maps corresponding to the five districts outlined in the relief map, and which show extent of Oriental occupancy in each district, as follows:

Map No. 1—Rice district of Glenn, Colusa and Butte counties.

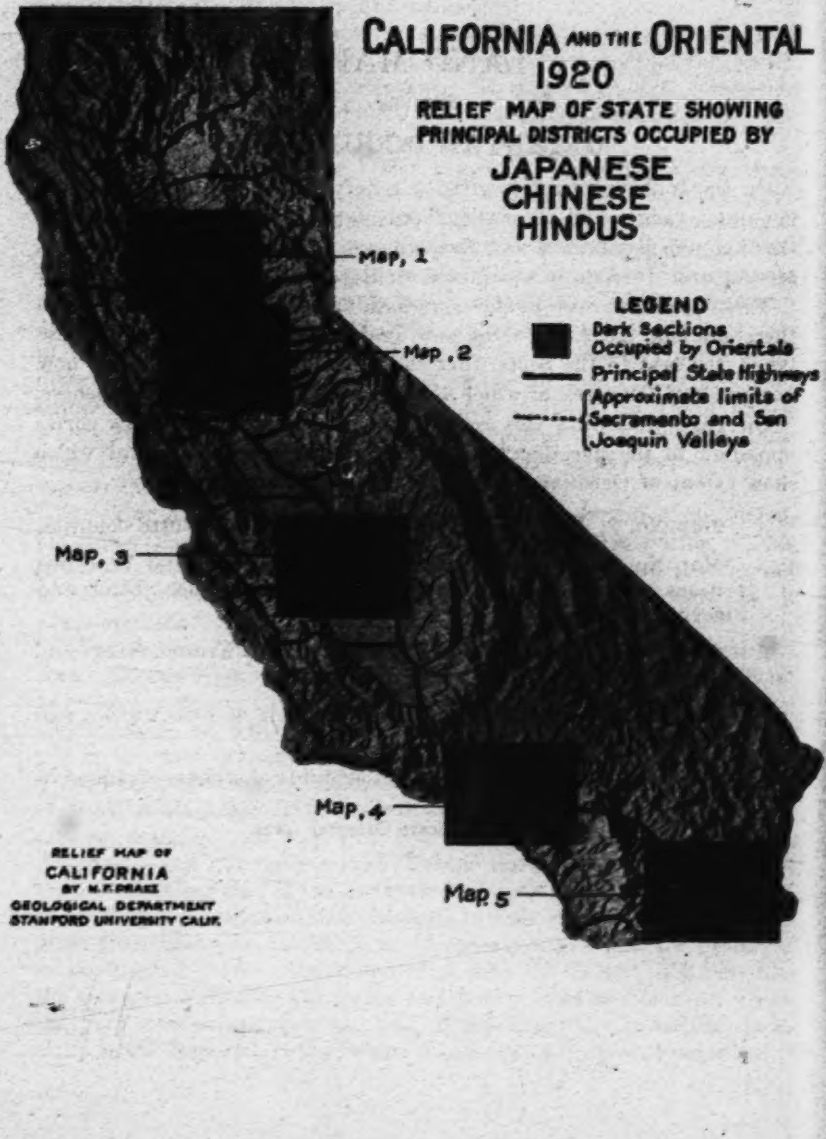
Map No. 2—Asparagus, Berry, Vegetable, Fruit and Vineyard sections of San Joaquin, Sacramento, Solano, Yolo, Sutter and Placer counties.

Map No. 3—Vineyard and Fruit districts of Fresno, Kings and Tulare counties.

Map No. 4—Vegetable and Fruit districts of Los Angeles and Orange counties.

Map No. 5—Cantaloupe and Vegetable districts of Imperial county.

Black spots indicate Oriental areas.


CALIFORNIA AND THE ORIENTAL
1920
RELIEF MAP OF STATE SHOWING
PRINCIPAL DISTRICTS OCCUPIED BY
JAPANESE
CHINESE
HINDUS
LEGEND
Dark Sections Occupied by Orientals
Principal State Highways
Approximate limits of Sacramento and San Joaquin Valleys
Map, 1
Map, 2
Map, 3
Map, 4
Map 5
RELIEF MAP OF
CALIFORNIA
BY N. F. DRAKE
GEOLOGICAL DEPARTMENT
STANFORD UNIVERSITY CALIF.

MAP NO. 1.

County Horticultural Commissioners Express Themselves.

For the purpose of securing answers from well qualified sources to the various questions asked both by the Governor and by the Legislature, this Board sent out a questionnaire to all of the county horticultural commissioners and county farm advisers in the state. The information returned indicated that there are 57 counties having horticultural commissioners of which 14 report practically no Oriental population, those counties being the following: Alpine, Calaveras, Del Norte, Humboldt, Lake, Lassen, Modoc, Mono, Plumas, Shasta, Sierra, Siskiyou, Trinity and Tuolumne.

Five more report very few Orientals at present in the following counties: Marin, Mariposa, Mendocino, Napa and Nevada.

This leaves, therefore, 38 counties out of the 57 having horticultural commissioners which have a real Oriental problem. Some of the other counties, however, reported on some of the questions asked. The questions asked and the summary of the answers received are as follows:

Question 1:

Could or would the lands now being farmed by the Chinese, Japanese and Hindus be cultivated by native whites?

Answer:

37 "Yes."
1 "No."
3 "Could but wouldn't."
1 "Would if necessary."
1 "Would if change were gradual."

Question 2:

Give pertinent facts concerning methods used by these races in securing land leases.

Answer:

17 say "Japanese pay more rent in cash or share";
4 say "Japanese use same means as any other in obtaining leases";
2 say "Japanese obtain leases by clearing land and developing other lands to orchards for use of land."
Others say "Japanese are aided by large fruit companies in obtaining leases"; "local banks aid them"; "shortage of labor has been the cause of Americans leasing instead of operating themselves": "cooperation is a factor frequently used by Japanese in obtaining leases."

Question 3:

What is general character of lands owned by Orientals?

Answer:

25 "Best land."
4 "Average."
1 "Part of county early developed was very shallow soil."
Others report: "Rice soils," but rice soils farmed by all races are alike in this respect.

Question 4:

What is general character of lands leased by Orientals?

Answer:

17 "Best lands."
13 "Fruit and vineyard."
4 "Rice lands."
2 "Average lands."
Others report "Best truck garden lands."

MAP NO. 2.

Question 5:
Is there tendency towards colonization in particular locations?

Answer:
19 "Yes."
17 "No, not yet."

Question 6:
To what extent do Orientals displace white labor?

Answer:
1 "80 per cent in orchards."
3 "50 per cent."
1 "75 per cent."
2 "25 per cent in orchards and vineyards."
6 "No displacement."
Others report "Complete displacement to the extent of the total number of Japanese men and the women who work at all kinds of labor except the stooping work, such as weeding rice and in the beet fields and in the peat districts of delta."

Question 7:
In what special kinds of agricultural labor are these races most useful and active?

Answer:
8 "In fruit."
6 "In truck and fruit."
5 "Berry and fruit."
3 "Vineyard and fruit."
3 "Nursery, florist and seeds."
5 "Rice."
Others: "In all stooping work in rice and beet fields."

Question 8:
Give wage comparisons with notes on living conditions.

Answer:
19 report "Same wage scales," except some of these report that "Japanese work longer if on hourly scale and earn more."
8 "Higher wages demanded and received by Japanese." Others report: "Japanese will work only for their own people and that this is a fast-growing tendency everywhere the Japanese is today." All who cover this point report "lower living conditions."

County Farm Advisers Answer Important Queries.

Of the 35 counties having farm advisers, 6 of these report practically no Oriental population at present; these six counties being as follows: Kern, Mendocino, Napa, Nevada, Shasta and Tehama.

Eight counties having farm advisers made no report at all.

The questions asked and the summary of the answers received are as follows:

Question 1:
Could or would the lands now being farmed by the Chinese, Japanese and Hindus be cultivated by native whites?

Answer:
21 "Yes."
1 "Could, but wouldn't."
1 "Yes, except the peat soil."

MAP NO. 3.

Question 2:

Give pertinent facts concerning methods used by these races in securing land leases.

Answer:

8 "Japanese pay more rent."
6 "Japanese pay ordinary rent."
2 "Fruit companies aid Japanese."
1 "Japanese gain leases by refusing to harvest crop and force owner to lease."
1 "Owners want to move to town to live."

Question 3:

What is general character of lands owned by Orientals?

Answer:

3 "Best land."
1 "Vineyard and delta."
4 "Orchards."
2 "Average."
1 "Good."
1 "Truck."
1 "Florin, poor soil."

Question 4:

What is general character of lands leased by Orientals?

Answer:

8 "Best land."
7 "Fruit."
3 "Rice."
1 "Good."
1 "Poultry."
1 "Vineyard."
1 "Delta."

Question 5:

Is there tendency towards colonization in particular locations?

Answer:

10 "Yes."
9 "No."
1 "Just starting to colonize."

Question 6:

To what extent do Orientals displace white labor?

Answer:

5 "To the extent of the number of aliens working in farming activities."
1 "30 per cent of fruit."
1 "Entirely in fruit."
1 "In all kinds of farming to the extent of equal numbers."
1 "Small displacement."
5 "No displacement."

Question 7:

In what special kinds of agricultural labor are these races most useful and active?

Answer:

5 "Rice."
10 "Fruit."
4 "Beet."
1 "Hops."
1 "Truck."

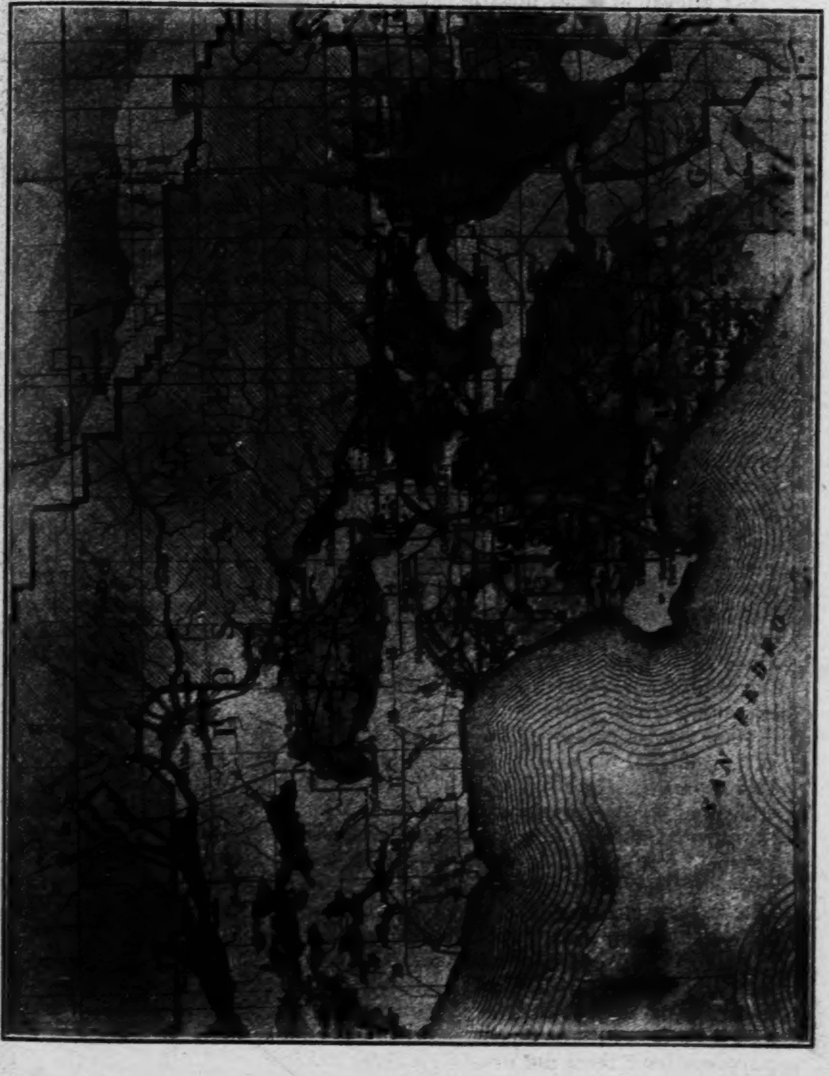
Question 8:

Give wage comparisons with notes on living conditions.

Answer:

9 "Same as whites."
5 "No wages paid; work by contract."
2 "Work only for own race."
3 "Higher wages."
1 "Lower wages."
All report "lower living conditions."

MAP NO 4.



LAND LEGISLATION.

The following pages contain:

(1) Alien land law of California, 1913.

(2) Digest of alien land laws of Washington and Arizona.

(3) Digest of land laws of some countries bordering the Pacific: Mexico, Japan, Australia, Hawaiian Islands, Philippine Islands.

CALIFORNIA ALIEN LAND LAW.

Enacted by State Legislature in 1913.

CHAPTER 113.

An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this state, providing for escheats in certain cases, prescribing the procedure therein, and repealing all acts or parts of acts inconsistent or in conflict herewith.

(Approved May 19, 1913.)

The people of the State of California do enact as follows:

Section 1. All aliens eligible to citizenship under the laws of the United States may acquire, possess, enjoy, transmit and inherit real property, or any interest therein, in this state, in the same manner and to the same extent as citizens of the United States, except as otherwise provided by the laws of this state.

Section 2. All aliens other than those mentioned in section one of this act may acquire, possess, enjoy and transfer real property, or any interest therein, in this state, in the manner and to the extent and for the purposes prescribed by any treaty now existing between the government of the United States and the nation or country of which such alien is a citizen or subject and not otherwise, and may in addition thereto lease lands in this state for agricultural purposes for a term not exceeding three years.

(The above paragraph refers to The Treaty of Commerce and Navigation of 1911 between America and Japan. See full text as part of this report, p. 115.)

Section 3. Any company, association or corporation organized under the laws of this or any other state or nation, of which a majority of the members are aliens other than those specified in section one of this act, or in which a majority of the issued capital stock is owned by such aliens, may acquire, possess, enjoy and convey real property, or any interest therein, in this state, in the manner and to the extent and for the purposes prescribed by any treaty now existing between the government of the United States and the nation or country of which such members or stockholders are citizens, or subjects, and not otherwise, and may in addition thereto lease lands in this state for agricultural purposes for a term not exceeding three years.

MAP NO. 5.

Section 4. Whenever it appears to the court in any probate proceeding that by reason of the provisions of this act any heir or devisee can not take real property in this state which, but for said provisions, said heir or devisee would take as such, the court, instead of ordering a distribution of such real property to such heir or devisee shall order a sale of said real property to be made in the manner provided by law for probate sales of real property, and the proceeds of such sale shall be distributed to such heir or devisee in lieu of such real property.

Section 5. Any real property hereafter acquired in fee in violation of the provisions of this act by any alien mentioned in section two of this act, or by any company, association or corporation mentioned in section three of this act, shall escheat to, and become and remain the property of the State of California. The attorney general shall institute proceedings to have the escheat of such real property adjudged and enforced in the manner provided by section four hundred seventy-four of the Political Code and title eight, part three of the Code of Civil Procedure. Upon the entry of final judgment in such proceedings, the title to such real property shall pass to the State of California. The provisions of this section and of sections two and three of this act shall not apply to any real property hereafter acquired in the enforcement or in satisfaction of any lien now existing upon, or interest in such property, so long as such real property so acquired shall remain the property of the alien, company, association or corporation acquiring the same in such manner.

Section 6. Any leasehold or other interest in real property less than the fee, hereafter acquired in violation of the provisions of this act by any alien mentioned in section two of this act, or by any company, association, or corporation mentioned in section three of this act, shall escheat to the State of California. The attorney general shall institute proceedings to have such escheat adjudged and enforced as provided in section five of this act. In such proceedings the court shall determine and adjudge the value of such leasehold, or other interest in such real property, and enter judgment for the state for the amount thereof together with costs. Thereupon the court shall order a sale of real property covered by such leasehold, or other interest, in the manner provided by section 1271 of the Code of Civil Procedure. Out of the proceeds arising from such sale, the amount of the judgment rendered for the state shall be paid into the state treasury and the balance shall be deposited with and distributed by the court in accordance with the interest of the parties therein.

Section 7. Nothing in this act shall be construed as a limitation upon the power of the state to enact laws with respect to the acquisition, holding or disposal by aliens of real property in this state.

Section 8. All acts and parts of acts inconsistent, or in conflict with the provisions of this act are hereby repealed.

California Alien Land Law of 1913—How evaded.

The intent of this law was to prevent aliens who are ineligible to citizenship from owning land in California. This, however, does not prevent American born children of "ineligible" alien parents from owning land, and such ineligible aliens soon resorted to the expedient of purchasing land in the names of their American born children, thereby acquiring the entire control of the land thus owned, as though purchased direct by such aliens.

Inasmuch as very few of the American born children of such alien parents have attained legal age, it is necessary to secure the appointment of a guardian of lawful age, or a properly qualified trustee, to act for each of such minor property holders. In many instances, the ineligible alien parent has applied for guardianship and has been appointed. Recently, however, superior courts of this state have denied petitions for guardianship filed by ineligible aliens, as involving evasions of the land laws of the state. Consequently, many of these minor children are now owning and holding land in their own names without guardian or trustee, subject, of course, to the limitations of minors as to transfer, etc., of real property. (Records of superior courts for the counties of Sutter, Los Angeles, Tulare and Fresno.)

For the purpose of acquiring alien control of land without the limitations imposed by guardianship, or the difficulties of reconveyance by minor children, the Japanese resorted to the formation of corporations. The law requires that a majority of the stock be held by American citizens. To overcome this provision, 51 per cent of stock is issued to an American citizen, usually the attorney for the corporation or some employee in his office, who acts as trustee for the real owner of the stock who may be an ineligible alien or a minor child, American born, of alien parents.

It is a source of deep regret that there are attorneys in the state who despite their oath to support the constitution and the laws of this state, nevertheless sell their legal talent in aiding this breach of the spirit and purpose of the Alien Land Law.

In all these cases, the acquisition, development, operation and control of the farms are entirely in the hands of the ineligible alien, the American trustee being almost invariably merely the holder of a naked trust without any personal investment and without participation in either the management or profits.

Washington Alien Land Law.

The ownership of lands by aliens, other than those who in good faith have declared their intention to become citizens of the United States, is prohibited in this state, except where acquired by inheritance, under mortgage or in good faith in the ordinary course of justice in the collection of debts; and all conveyances of land hereafter made to any alien directly, or in trust for such alien, shall be void; provided that the provisions of this section shall not apply to lands containing valuable deposits of minerals, metal, iron, coal, or fire clay, and the necessary land for mills and machinery to be used in the development thereof and the manufacture of the products therefrom. Every corporation, the majority of the capital stock of which is owned by aliens, shall be considered an alien for the purpose of this prohibition.—(Constitution of Washington, Art. II, Sec. 33.)

An effort was made to amend this section to make it inapplicable to the conveyance of lands within cities to resident aliens. In the election of November, 1914, the proposal was voted down by a vote of 55,080 to 212,542.

Arizona Alien Land Law.

No person, other than a citizen of the United States, or who is eligible to citizenship under the existing laws of the United States, and no corporation, more than thirty per cent of whose stock is owned by persons other than citizens of the United States, or who have declared their intention to become such, or who are eligible to citizenship under existing laws of the United States, shall hereafter acquire any land, or title thereto, or interest therein, other than mineral lands, or such as may be necessary for the actual working of mines and the reduction of the product thereof; provided, that no alien shall acquire title to any land or real property within this state, except as hereinafter provided; and provided further, that this chapter shall not prevent an alien from leasing any land or real property within this state for a period of not exceeding five years; and, provided further, that this chapter shall not prevent the holder (whether aliens or nonresidents) of liens upon real estate, or any interest therein heretofore or hereafter acquired from holding or taking a valid title to the real estate in the enforcement of such lien; nor shall it prevent any such alien from enforcing any lien or judgment for any debt or liability now existing, or which may hereafter be created, nor from becoming a purchaser at any sale made for the purpose of collecting or enforcing the collection of such debt or judgment, nor preventing widows or heirs who are aliens, or who have not declared their intention to become citizens of the United States, from holding lands by inheritance; but all lands acquired as aforesaid shall be sold within five years after the title thereto shall be perfected in such alien, and in default of such sale within such time, the title of such real estate shall revert and escheat to the State of Arizona; and any person who has under his declaration to become a citizen, acquired the title to, or the right to possession of lands in this state, and who fails to complete his citizenship, shall be subject to all the provisions of this chapter relating to aliens.

The provisions of this chapter shall not be construed in any way to prevent or interfere with the ownership of mining lands, or lands necessary for the working of mines and the reduction of the products thereof; nor shall the provisions of this chapter be so construed as to conflict in any manner with any rights existing under and by virtue of any treaty of the United States with any other country.—(Stats. 1917, p. 57.)

SOME COUNTRIES HAVING ALIEN LAND LAWS, WITH A DIGEST OF SAME.

Mexico.

Only Mexicans by birth or naturalization and Mexican companies have the right to acquire ownership in lands, waters and their appurtenances, or to obtain concessions to develop mines, waters or mineral fuels in the Republic of Mexico. The nation may grant the same right to foreigners, provided they agree before the Department of Foreign Affairs to be considered Mexicans in respect to such property, and accordingly not to invoke the protection of their governments in respect to the same, under penalty, in case of breach, of forfeiture to the nation of property so acquired. Within a zone of 100 kilometers from the frontiers, and of 50 kilometers from the sea coast, no foreigner shall under any conditions acquire direct ownership of lands and waters.

Australia.

The matter of land ownership is one affecting the individual state governments. In the states of New South Wales, South Australia and Tasmania restrictions are imposed upon the tenure of lands by aliens. In Victoria and Western Australia there are no such restrictions. Following is a summary of the state laws.

(1) *New South Wales.* Under the Crown Lands Consolidation Act, 1913, an alien is not qualified to apply for an original homestead selection, original conditional purchase lease, settlement lease, original homestead lease, or original conditional purchase, unless he has resided in New South Wales for one year, and at the time of making application lodges a declaration of his intention to become naturalized within five years. If he fails to become naturalized within that period, the land is forfeited. This residential limit of twelve months does not, however, apply to applicants for homestead farms, crown leases, suburban holdings, and leases within irrigation areas, but any alien who becomes the holder of any of these tenures must become naturalized within three years after his becoming such holder. Failure to comply with this regulation involves forfeiture of such holding, together with all improvements thereon.

(2) *Victoria.* Under the Supreme Court Act, 1915 (section 3), every alien friend resident in Victoria may acquire, either by grant from the crown or otherwise, both real and personal property.

(3) *Queensland.* Under the Land Act, 1910 (sections 59*b* and 62), an alien can not apply for any land in Queensland unless he obtain a certificate that he is able to read and write from dictation words in such language as the Minister for Lands may direct. If he acquire a selection he must within five years of such acquisition become a naturalized subject.

(4) *South Australia.* In South Australia, Asiatics are disqualified from holding perpetual leases of lands in irrigation areas under section 19 of the Irrigation and Reclaimed Lands Act, 1914.

(5) *Western Australia.* In this state aliens are under no disability as regards the acquisition of the freehold of lands already alienated.

Every application to acquire crown lands whether by a British subject or an alien, is subject to the approval of the Minister for Lands, with an appeal to the governor in council.

(6) *Tasmania.* Under the Aliens Act, 1861 (section 2), aliens can not hold real estate. An alien, if the subject of a friendly state, may, however, occupy lands for any term not exceeding twenty-one years.

Pacific Islands.

(1) *North Borneo.* "Any alien desirous of purchasing land from a native shall address his application to the collector who if he sees fit to sanction such purchase, shall, if the native owner consents, acquire the land on behalf of the government and shall fix the premium and quit-rent at which the land shall be leased by the government to the applicant and such new lease shall be issued under part II or III hereof." (Ordinances of North Borneo, 1881-1914, p. 349.)

(2) For *New Guinea, New Caledonia,* the *Society Islands* and other small islands in the South Pacific, statutes or ordinances are not available.

Japan.

There are three ways in which foreigners may hold land in Japan: (1) By ordinary lease, running for any convenient term and renewable at the will of the lessee. The rent of such leased property is, however, liable to a review by the courts, after a certain number of years, on the application of either party. (2) A so-called superficies title may be secured in all parts of Japan, save what may be called colonial areas, running for any number of years. Many such titles now current run for 999 years, and so far as appears they might run for 5000. These titles give as complete control over the surface of the land as a fee simple title would do. (3) Foreigners may form joint stock companies and hold land for the purposes indicated by their charters. Some of these charters contain provisions practically limiting membership to foreigners. They are juridical persons formed under the civil code of Japan and are regarded as just as truly Japanese legal persons as though composed solely of Japanese. Foreigners are excluded from membership in corporations subsidized by the Japanese government.

Aside from the three classes of holdings mentioned above, in the concessions of the old extra-territorial days, permanent leases are obtainable by purchase, from time to time. The rental on this property is fixed by the terms of the original deeds, at yen, 28.00 per hundred tsubo (400 square yards) per year for the business sections and considerably less for the residence sections of the concessions. In Yokahama the rental on the Bluff lots is yen, 12.00 per hundred tsubo. This rental is in lieu of all other taxes, and the Hague Tribunal has decided that this stipulation gives immunity from taxation to all buildings or other improvements on such lots.

These permanent leases have been the subject of much controversy; but many of the lots have already passed into Japanese hands and it is probable that this special form of ownership will ere long disappear."

A new foreign ownership law was passed in 1910, but has never been placed in operation. By this law ownership is permitted to those foreigners who maintain a household or lodging in the country, or to those foreign juridical persons who keep an office in Japan. It compels any foreign land owner who may leave the country and thus fail to maintain a household or lodging to sell his property within five years on penalty of its reversion to the national treasury. Ownership is limited to certain geographical sections.

This law has not been placed in force because, it is claimed, it is unsatisfactory to the government, which desires a more liberal measure. According to press dispatches, a new law is now pending before the Imperial Parliament.

United States—Philippine Islands.

The fourth Philippine legislature, special session of 1919, in Act No. 2874, H. No. 1194, H.Ct.R., No. 37, passed an act which is now in force in the Philippine Islands and which became a law with the sanction of the Federal Government of the United States and is very specific in all of its sections in confining ownership and leasing of land to citizens of the Philippine Islands or of the United States, except that citizens of countries whose laws grant to citizens of the Philippine Islands the right to acquire land may acquire in the Philippine Islands a parcel of agricultural land not in excess of 100 hectares. Chapter 4, section 12, reads in part as follows: "Any citizen of the Philippine Islands or of the United States, over the age of eighteen years * * * may enter a homestead * * *."

Chapter 5, section 23, reads as follows: "Any citizen of lawful age of the Philippine Islands or of the United States, and any corporation or association of which at least sixty-one per centum of the capital stock or of any interest in said capital stock belongs wholly to citizens of the Philippine Islands or of the United States, and which is organized and constituted under the laws of the Philippine Islands or of the United States or of any state thereof and authorized to transact business in the Philippine Islands, and corporate bodies organized in the Philippine Islands authorized under their charters to do so, may purchase any tract of public agricultural land disposable under this act, not to exceed one hundred hectares in the case of an individual and one thousand and twenty-four hectares in that of a corporation or association * * * ; provided, that citizens of countries the laws of which grant to citizens of the Philippine Islands the same right to acquire public land as to their own citizens, may, while such laws are in force, but not thereafter, with the express authorization of the legislature, purchase any parcel of agricultural land, not in excess of one hundred hectares, available under this act, upon complying with the requirements of this chapter."

Chapter 6, section 34, relating to leasing, reads as follows: "Any citizen of lawful age of the Philippine Islands or of the United States, and any corporation or association of which at least sixty-one per centum of the capital stock or of any interest in said capital stock belongs wholly to citizens of the Philippine Islands or of the United States, and which is organized and constituted under the laws of the Philippine Islands or of the United States or of any state thereof and authorized to transact business in the Philippine Islands, may lease any tract of agricultural public land available for lease under the provisions of this act, not exceeding a total of one thousand and twenty-four hectares: provided, that citizens of countries the laws of which grant to citizens of the Philippine Islands the same rights to lease public land as to their own citizens, may, while such laws are in force, but not thereafter, with the express authorization of the legislature, lease any parcel of agricultural land, not in excess of one thousand and twenty-four hectares, available for lease in accordance with this act, * * * ."

Chapter 7, section 41, relating to free patents of lands reads as follows: "Any native of the Philippine Islands * * * shall be entitled, under the provisions of this chapter, to a free patent * * * ."

Section 120. No land originally acquired in any manner under the provisions of this act, nor any permanent improvement on such land, shall be encumbered, alienated, or transferred, except to persons, corporations, associations, or partnerships who may acquire lands of the public domain under this act; to corporations organized in the Philippine Islands authorized therefor by their charters, and upon express authorization by the Philippine legislature, to citizens of countries the laws of which grant to citizens of the Philippine Islands the same right to acquire, hold, lease, encumber, dispose of, or alienate land, or permanent improvements thereon, or any interest therein, as to their own citizens, only in the manner and to the extent specified in such laws, and while the same are in force, but not thereafter.

Section 121. No land originally acquired in any manner under the provisions of the former Public Land Act or of any other act, ordinance, royal order, royal decree, or any other provision of law formerly in force in the Philippine Islands with regard to public lands, terrenos baldios y realengos, or lands of any other denomination that were actually or presumptively of the public domain, or by royal grant or in any other form, nor any permanent improvement on such land, shall be encumbered, alienated, or conveyed, except to persons, corporations, or associations who may acquire land of the public domain under this act, to corporate bodies organized in the Philippine Islands whose charters may authorize them to do so, and, upon express authorization by the Philippine Legislature, to citizens of countries the laws of which grant to citizens of the Philippine Islands the same right to acquire, hold, lease, encumber, dispose of, or alienate land or permanent improvements thereon or any interest therein, as to their own citizens, and only in the manner and to the extent specified in such laws, and while the same are in force, but not thereafter; provided, however, that this prohibition shall not be applicable to the conveyance or acquisition by reason of hereditary succession duly acknowledged and legalized by competent courts, nor to lands and improvements acquired or held for industrial or residence purposes, while used for such purposes; provided, further, that in the event of the ownership of the lands and improvements mentioned in this section and in the last preceding section being transferred by judicial decree to persons, corporations or associations not legally capacitated to acquire the same under the provisions of this act, such persons, corporations, or associations shall be obliged to alienate said lands or improvements to others so capacitated within the precise period of five years, under the penalty of such property reverting to the government in the contrary case.

Section 122. Any acquisition, conveyance, alienation, transfer, or other contract made or executed in violation of any of the provisions of sections one hundred and sixteen, one hundred and eighteen, one hundred and nineteen, one hundred and twenty, and one hundred and twenty-one of this act shall be unlawful and null and void from its execution and shall produce the effect of annulling and canceling the grant, title, patent, or permit originally issued, recognized or confirmed, actually or presumptively, and cause the reversion of the property and its improvements to the government.

Hawaii Opposed to Japanese Land Ownership.

Press dispatches from Honolulu, dated April 28, 1920, read as follows:

"Robert W. Shingle, territorial senator and member of the legislative commission which recently returned from Washington, in an open letter to the 'Pacific Commercial Advertiser' published here today declared that many Congressmen opposed opening of public lands in Hawaii to homesteading because of increasing number of Japanese in the territory obtaining American citizenship.

The United States Congress is almost unanimously averse to the granting of homestead privileges on highly developed public lands in the territory of Hawaii, because it is by no means satisfied of the complete sincerity of Americanism in the growing class citizenship in these islands," the letter said.

"I allude to Hawaiian-born Japanese, thousands of whom annually come into the sacred inheritance of American citizenship.

Neither Congress nor I have any intention of calling into question the loyalty of Hawaiian-born Japanese in this territory. However, America learned a bitter lesson of nationalization during the past five years, one which cost dear in blood and ideals.

The problems involved in efforts to obtain a homesteading law were based upon a desire of the territorial legislature to provide some means for restoration of public lands to Hawaiians. Public lands have been leased and control obtained by others than Hawaiians. To secure a return of these lands, as expiration of leases, to Hawaiians, a rehabilitation bill was submitted to Congress and urged by the commission."

NOTE—Since the above article was published the House of Representatives has passed a homestead law for the Hawaiian Islands in which the privilege of acquiring a homestead is confined strictly to native Hawaiians who are descendants of the original natives of the islands.

Alien Land Law of Japan.

Japanese law, like the alien land law of California, prohibits aliens from owning land in fee, but permits leaseholds for varying terms of years, confined to industrial and residential purposes—no agricultural lands leased.

Legislation broadening land ownership by foreigners was attempted in 1910, following representations made by a number of foreign governments, and was favorably acted upon by the Japanese Diet, but the law has never been promulgated and is therefore not in force.

A similar fate attended the more recent efforts of the Japanese Parliament in the same direction, induced apparently by a desire to overcome Mexican arguments against granting Japanese the right to own land.

Millions of Acres Available in Japan.

The impression quite generally prevails in this country that the Japanese are compelled to emigrate to other countries out of sheer necessity of making a living. It is alleged that the population of Japan is increasing so rapidly that the producing lands are not capable of supporting the population. That this is an erroneous impression is evidenced by the following announcement concerning available farm lands in Japan which was published in the "Japanese American News," January 6, 1920, and dated as a dispatch from Tokio, December 15, 1919:

"*New Farm Villages Opened All Over the Country—Land Untaxed for Forty Years—Great Inducements to Farmers—Japan's Big Reclamation Scheme—Five Million Acres New Farm Land.*

"For the past ten years the Department of Agriculture and Commerce has been conducting an investigation of all arable lands in the different municipalities and prefectures. The investigation which was completed two years ago has shown that there are 2,000,000 *cho* (5,000,000 acres) of farm land which can be reclaimed under the waste land reclamation law. Work has already begun this year (1919) for the opening up of 1,500,000 *cho* (3,250,000 acres) for rice and vegetable fields. The Industrial Bank is to supply the necessary capital and the scheme extends over thirty years * * *."

"The government is to encourage agricultural settlers by grants of aid, low rates, easy payments and practical exemption of newly opened land from taxation for forty years."

This same erroneous impression is corrected by the statements of Carl Crow in his book entitled "Japan and America" issued 1916, from page 20 of which we quote the following:

"It is frequently asserted that every square foot of arable land in Japan is under intensive cultivation. Doubtless this is the impression one gets on coming from America, where in some places at least, the owners still count their possessions by the section and the quarter section rather than the acre. But a closer study of the area of the country and its development reveals the fact that the present area under cultivation might be appreciably increased. Though theirs is a mountainous country, the Japanese are not mountaineers, but dwellers of the plains and valleys. There they live, contented with their narrow fields; the sides of hills and mountains which would be terraced by Chinese or Igorots remain uncultivated and unproductive. The government authorities after a careful survey of the entire country have reached the conclusion that simply by reclaiming and putting under cultivation the land which is inclined at an angle of less than 15 degrees, the area of arable land may be doubled."

In this same connection we quote from the April, 1920, issue of Outlook Magazine, the organ of the Interchurch World Movement, which published the following in an article by Mr. Young of the Japan Chronicle entitled "What the World Wants to Know About Japan":

"Japan is, of course, just becoming an industrial nation. While on the other hand the shortage of labor is becoming a serious question the growth of population is now beyond the ability of the country to feed itself. However, the claims that Japan must go elsewhere to find room for her people is sheer nonsense, for she has the whole of the Hokkaido (the north part of the main land) which is hardly populated."

A large map of the State of California approximately 12 feet by 14 feet was prepared by the Federal Irrigation Manager for California in conjunction with the State Board of Control setting out in colors all of the holdings by Japanese, Chinese and Hindus throughout the entire state. Approximately 10,000 parcels of land were checked on the records to obtain this information. This map is available in the office of the State Board of Control.

Section IV.

FINANCING.

FINANCING.

Orientals are financed principally as follows:

(1) Cash advances by American distributors, commission merchants, packers and canners of fruit and vegetables, fish canneries and beet sugar factories.

(2) Cash advances and other assistance by their more prosperous countrymen, either here or in the Orient.

(3) Bank loans from both American and Oriental banks.

(4) Letter of Westfall-Lane Company reproduced here as a fair statement of the usual financing methods.

(5) Sample copy of usual form of crop contract used with Orientals.

(6) Percentage of principal crops raised by Japanese in 1917.

FINANCING.

The principal source of financial assistance to Orientals engaged in agricultural pursuits and the fishing industry is the American distributor. American individuals, firms and corporations engaged in the business of buying and selling or distributing fruits and vegetables such as cantaloupes, grapes, lettuce, onions and potatoes; packers and canners of fruits and vegetables; fish merchants and fish canneries; and beet sugar factories all appear to follow the practice of making generous money advances under contract in sufficiently large sums frequently to cover lease payments on land and the costs of planting, harvesting, packing and crating.

In the fish industry the canneries usually furnish the fishing boat, fishing tackle and equipment, the total cost of which often runs as high as $4,000 or $5,000, the canner reimbursing himself out of each catch brought in by the fishermen. Some of the larger canneries are said to have more than $200,000 so invested in boats let out principally to Japanese.

In this manner it is stated that Orientals, especially Japanese, are often able to secure practically every dollar of working capital and being thus well financed frequently outbid whites by paying for leases of agricultural lands almost any price demanded, the average running about $50, while some cantaloupe lands in the Imperial and Turlock districts secure as high as $75 per acre per annum rental.

Explains Methods of Financing.

On page 81 is given a copy of a letter from Westfall-Lane Company of Turlock, California, large distributors of cantaloupes, watermelons, sweet potatoes and grapes, which letter is dated March 11, 1920, and outlines in detail the methods followed by Japanese in financing themselves through distributors. (This is but one of many similar statements.)

Sample Crop Contract.

Following above letter is a sample copy of the usual contract between the distributor and the grower, the printed form herewith given being one that Arthur Miller, 330 Washington street, New York City, uses principally in the Imperial Valley cantaloupe territory near Brawley, California, this, however, being a form commonly used by all classes of distributors.

Farm advisers and others complain that American farmers, lessees, and intended growers are not as liberally financed by the interests above mentioned as are the Orientals, especially the Japanese. Difficulty in securing funds for working capital is eliminating the Americans from competition with the Orientals.

Certain Crops Entirely Controlled by Japanese.

Examination of the 1917 crop statistics compiled by the Japanese Agricultural Association, copy of which is given on the following page, and also the figures for 1919 compiled by the Japanese Agricultural Association of California contained in this report under the head of "Land" shows the rapid growth of Japanese agricultural activities and that Japanese now control the berry food supply of the state, almost entirely control the vegetable supply and are making rapid inroads into fruit and raisin farming.

At present the principal fruit and vegetable distributors are American but the Japanese have already entered the field of distribution and are operating several commission houses and distributing associations in the larger agricultural centers.

There are seven banks owned by Japanese and organized under California laws, and two branches of the Yokohama Specie Bank of Japan in this state. While the latter bank does exchange business, also, all the Japanese banks are engaged principally in extending credit to Japanese farmers and merchants. The Chinese finance themselves largely out of their own resources, the Hindu does the same to a large extent except that some receive cash advances from rice and cotton growers' associations.

A peculiar method of deposit is practiced by the Japanese in making deposits in the Japanese banks by which they buy certificates of transmission, payable in Japan, presumably for the purpose of transferring the funds to Japan. Many of these so-called certificates of transmission are, however, in fact merely the usual certificates of deposit commonly in use in America, the difference being that they are made payable in Japan, only. These certificates are said to be very commonly held and ultimately cashed at Japanese banks here in the same manner that certificates of deposit are handled. The effect of this practice is to place these funds beyond recourse by American creditors, during the period that they are held as certificates of transmission, but at the same time they are subject to attachment or claim by creditors residing in Japan.

PERCENTAGE OF PRINCIPAL CROPS PRODUCED BY JAPANESE IN 1917.

(Prepared by the Japanese Agricultural Association of California.)

	Per cent		Per cent
Celery	90	Sugar beets	45
Berries	88	Mixed vegetables	40
Asparagus	86	Grapes	34
Cantaloupes	85	Rice	25
Onions	84	Potatoes	20
Tomatoes	80	Beans	15
Florists' products	72	Cotton	15
Seeds	52	Fruits	12

NOTE—These figures cover crops raised by Japanese in 1917. Since that year the percentage of certain of the enumerated crops raised by Japanese has very materially increased, the largest increases being in rice, grapes, potatoes and fruits.

Letter of Westfall-Lane Company on Financing Methods.

JOHN R. WESTFALL, Sales Manager A. J. EDDY, Manager
DAVID F. LANE, General Manager

WESTFALL-LANE COMPANY
Distributors
Cantaloupes, Watermelons, Sweet Potatoes, Grapes
137 South Front Street

Telephone 1165
Three Trunk Lines

TURLOCK, CALIFORNIA, March 11, 1920.

STATE BOARD OF CONTROL,
Sacramento, Calif.

(Attention F. L. Lathrop)

DEAR SIR: Replying to yours of the 27th ult.

I am glad to report on the Japanese situation pertaining to the agriculture and finance activities of the Japanese.

There are 3500 acres of land leased by Japanese in this Turlock Irrigation District. This would mean that some of these people are in Merced County, with a large portion in Stanislaus County, but all are tributary to either Turlock, Keys, Hughson, or Denair, as shipping points.

The principal line of agriculture that they follow is cantaloupes and this 3500 acres is cantaloupe land or land leased for the purpose of growing cantaloupes. The majority of the land, possibly 80 per cent of it, is leased on the basis of $50 per acre, cash rent, 10 per cent at about $60 per acre and 10 per cent at from $25 to $50 per acre. The Japanese method of leasing land and financing his land is along these lines:

They lease the land on a payment of one-third to one-half cash and the majority of the leases provide for the balance to be paid about September first. A few of the leases provide for an intermediate payment in the latter part of July or the first part of August. There are a few leases that demand all cash payment.

The Jap then goes to the shipper and asks to be financed to the extent of covering his initial payment on the lease. Sometimes he provides in his agreement with the shipper at the time of entering into the agreement, that he will need money to plow his land and grow the crop. Sometimes he waits until after the shipper has put some money into the deal and then demands or asks for advances to care for crop. In this last instance it behooves the shipper to put more money into the deal to protect the first or initial investment.

The Westfall-Lane Company practice this method of financing the Japanese, as well as other shipping organizations, but in doing so they have demanded securities by chattel mortgages on stock, implements and crops. Some of the other companies practice the same method whenever they can get the security.

There are two or three farmers' organizations that do not make these advances as the finances at hand will not permit it.

The next financial aid given the Japanese is that the shipper gives him credit for his shook, nails and labels and advances 35 cents to 40 cents per crate—cost of picking and packing.

By tabulating these amounts and compiling them you will arrive at the conclusion that the shipper is financing these growers and taking all chances of loss, with a fixed charge of gross profits. These gross profits represent 15 per cent of the growers' sales, plus a 1 cent per crate charge for shipping fees.

If the proceeds from the sales (after all of these advances are refunded) is sufficient, a profit will be shown the grower. If the net returns from the sales are not sufficiently large, then the shipper must either fall back upon his securities covered by chattel mortgages and if adequate will not suffer a loss, but if not, of course, will suffer a loss. This loss, if any, may be made up by another venture the following year and when such losses have occurred in the past this has been the custom, but in view of the fact of the widespread anti-Jap propaganda, I do not believe there will be renewals of the venture.

From an agriculture standpoint, it is necessary for us to keep a man in the field to see that these Japanese farm their land right. This may seem to you a strange statement, considering that it is generally assumed that the Japs are such wonderful farmers. They are not wonderful farmers, but are hard workers, and the success that they have made, in my estimation, is principally charged up or credited to persistent plugging and consistent attention to their lands.

The Japanese are cooperative. They usually practice this cooperativeness in what we term at this time as a "clan." These clans are made up from five to twenty people.

These clans pool their interest. For example: If one man loses, the others help him out; they go so far as endorsing each other's notes for advances made or for leases to be paid.

During the attention that I have given to these people, I find that these clans are transported clans from Japan. That is to say, Japanese living and operating in provinces in Japan clique together in the United States and cooperate in their agriculture ventures. They go so far, as the leader of a clan or his heirs in Japan, inherit the same rights when their members are transported to this country.

This is usually what "he" means when he refers to "my friend." When a Jap succeeds in a venture, he stakes his friend to lease a piece of property and he becomes the next unit to their cooperative system. This friend is picked from the working class, that is, a laboring man. He has worked with him in the cantaloupe field or has had some agricultural experience. They also cooperate in helping one another to plow and to do all kinds of agricultural work. Especially is this true if one of their number is behind with his work.

All of this sounds very lovable and brotherly, but these people have their difficulties. If a Jap attempts to lease more land than he is able to handle, he is notified by them to cut some of the land out of his holdings and get down to a basis where he can handle it economically. If he neglects his land, jeopardizing the financial responsibilities of the others, he is corrected, but, "let me say at this time" very diplomatically. If he does not take care of his land the others go in on the property, combining their efforts to get the land up to the proper condition as speedily as possible.

There is a cantaloupe organization here, called the California cantaloupe company. This is a Japanese organization. There are two or three companies formed this year, but at the present time have not a large acreage. These organizations are for the purpose of selling produce. The organizations formed this year were not organized until after the strong Japanese agitation started.

The Japanese agitation that we have in this community seems primarily to be among the business men and from information at hand, it would seem that quite a few of the land owners are not in sympathy with the movement.

If these land owners will lease the land to Japanese, then I think that as soon as the Japanese become financially strong, or until they will not need much credit, they will attempt to sell their own crops.

Next thing that we must bear in mind is that the Japanese organizations in California do not find much difficulty in securing financial aid among eastern commission houses. If the Japanese secure the land and also their own selling organization, they will control over 60 per cent of the entire cantaloupe crop in this district.

There are at the present time 18 shipping organizations; 15 of them are white and three are Japs. If the Jap organizations will control 60 per cent of the crop and 15 white organizations will stay in the field and divide the white business among themselves, then there would not be sufficient number of acres for these white organizations to stay in business. First, from the standpoint of profits on the limited volume of business based upon the present rates of commission; second, that they would not have sufficient volume to cut any figure in supplying the markets.

The undersigned leases this year to Japanese, of his own land, about 250 acres. These leases are made from year to year. I have provided that all of these lands will be leased to white men from now on. I consider this, first, good business, and second, have hit upon a plan of financing the white man and have secured some of the best men in the country. I mention this at this time as simply a point of general information to impart to you.

There is no question in my mind but that all of this land now leased by Japs can be leased to white men providing you finance the white man. Also that the leasing of lands in this district for cantaloupes has been a detriment, based upon these facts: That after the crops are removed at the end of any given year, the grower is, as far as the value of his improvements are concerned, in the same position as he was a year ago. He has raised a crop and taken it off of the land.

He has put nothing back and has not improved the land, such as an orchard, vineyard or alfalfa. In other words, he is a farmer without an industry, or at least he does not represent any particular industry, such as vineyardist, peach grower, prune or apricot growers, or a dairyman.

You might say the same thing about a grain grower, but this land is not grain land—it is too valuable. It is not reasonable or consistent or economical that land valued at $700 per acre should be treated in this manner.

The exclusion of the Japs, even in the event that you could not secure enough whites to lease the land, would revert to the benefit of the country, as it would force owners of the land to put in permanent crops.

If there is any further information that you would like on this subject, and if it is within my keeping, upon request I would be glad to give it to you. I have only covered this subject roughly, touching upon points rather than to exhaust the subject.

Yours very truly,

D. F. LANE.

Sample Copy of Usual Contract Between Distributor and Oriental Grower.

ARTHUR MILLER
330 Washington Street
New York, N. Y.

THIS CONTRACT AND AGREEMENT, entered into this ____________day of ________________, by and between ____________________________ of Brawley, California, hereinafter referred to as the Grower and ARTHUR MILLER, of 330 Washington Street, New York, hereinafter referred to as the Distributor.

WITNESSETH, That for a cash consideration mentioned in the Tenth Paragraph of this contract, the Grower hereby appoints the above mentioned Distributor his exclusive selling and distributing agent for all cantaloupes grown or owned or controlled by the Grower for and during the season of 1920 and agrees to pay to the Distributor as compensation for his services a commission of sixteen per cent of the amount of the gross sales of all cantaloupes picked, packed, tendered and accepted for shipment by the Distributor at the shipping shed at Brawley, Calif.

The Grower agrees to plant or have planted ________ acres from seed to be furnished by the Distributor and to deliver to the Distributor at the above mentioned shed in a properly matured condition all cantaloupes grown or caused to be grown from said acreage during the season of 1920 of merchantable quality, packed in Standard crates of 12x12x23½ inches, and to contain forty-five cantaloupes, or Jumbo crates of 13x13x23½ inches, and to contain thirty-six or forty-five cantaloupes, each and every crate to contain cantaloupes of uniform size, or in Pony crates of 11x11x23½ inches, and to contain forty-five cantaloupes or fifty-four cantaloupes, or in flat crates of 4½x13x23½ inches, and to contain twelve or fifteen cantaloupes, and

The Grower further agrees in consideration of the acreage advance, cash crate advance, and guarantee of freight by the Distributor, that all cantaloupes not grading as merchantable quality produced from the above mentioned number of acres are not to be packed, it being mutually acknowledged and agreed that shipments of inferior cantaloupes would have a deteriorating effect on marketing conditions, injure the confidence of the trade and prove unsatisfactory to the customer, thereby jeopardising the interest of both the Distributor and the Growers whose crops have been contracted by the Distributor.

The Grower agrees to plant the acreage mentioned above as early as possible as the season justifies in order to produce an early crop, and further agrees to use his best efforts to produce the best quality of Cantaloupes and as early in the season as possible, to pick, grade, pack and handle same in a strictly first class manner, using proper care in every respect to prevent injury from any cause, to pack the same of uniform size and quality and wrap same neatly so as to produce a first class and attractive package in every respect, and to deliver the said cantaloupes at the shipping shed on wagons or trucks provided with springs to prevent bruising; cantaloupes to be properly protected at all times after picking from the hot rays of the sun.

The Distributor agrees to perform the following:

FIRST: To provide a shipping shed through which to load all cantaloupes accepted by the Distributor for shipment.

SECOND: To provide and sell to the Grower cantaloupe seed of first class quality at __________ per pound, to sell to the Grower the following supplies at prices named, to wit: Registered paper wraps bearing the "CROWNED LYON BRAND" trade mark at __________ per thousand and in consideration of this price it is hereby agreed that the Grower will not use these wraps for any other purpose than shipping Cantaloupes of the above named brand and all of which are to be handled by the above named Distributor; nails at ---------------- per keg; Standard, Pony and Jumbo crates at ---------------------------------- each; and Flat crates at -------------- each, complete including registered labels bearing the "CROWNED LYON BRAND" for which no charge is made and it is understood that this label is loaned to the Grower for the specific purpose of packing cantaloupes for shipment only through the above named Distributor. It is also understood by the Grower that the Distributor shall not be liable to the Grower for failure to furnish such crates or other material or other supplies if prevented from doing so by strikes or any other cause beyond the control of the Distributor.

THIRD: In consideration of the above clause, the Grower hereby irrevocably agrees that the terms under which the above supplies are sold to him will not be violated at any time during the shipping season and that under no circumstances will any portion of said crop be shipped through any other source than through the Distributor, and hereby agrees that in the event that he violates said terms, ships or permits to be shipped any cantaloupes comprising said crop through any other source, without the written consent of the Distributor, that the prices named herein for supplies and material of every kind are null and void and that he accepts said material, seed, crates, wraps, nails and etc. at an advanced price of twenty-five per cent above the prices mentioned in this contract, and that his entire season's supply is to be charged to him at the said advanced prices. The said increased amounts over and above prices mentioned in this contract are to be credited to the "SURPLUS ACCOUNT" of the Distributor, and, at the end of the season the said amounts are to be pro rated, in accordance with the actual number of the crates shipped by the other Growers shipping through the Distributor, and it is to be paid on that basis to the Growers who have not violated their contract and whose interests have been injured by the shipment of said cantaloupes through other sources, by said Grower.

FOURTH: To advance the Grower One Dollar per crate for all Standard and Jumbo crates, and One Dollar per crate for all Pony crates, and forty-five cents per crate for all Flat crates delivered by the Grower and accepted by the Distributor for shipment less a deduction of 45 cents on full size crates and 25 cents on Flat crates, which is to apply on the indebtedness of the Grower for crates, paper, nails and acreage advances, such deduction to be made until such time as the total indebtedness of the Grower to the Distributor is fully paid; said advance to be paid to the Grower every Monday for all crates accepted from him for shipment by the Distributor during the previous week. This crate advance is a guaranteed advance to the Grower on all cantaloupes as a whole collectively received from the Grower for the entire season, as a season's average, and if the net results of the pools of all cantaloupes shipped for the Grower are in excess of the total amount of crate advance paid to the Grower the balance of the net results of pools over and above the crate advance shall be paid to the Grower.

FIFTH: To furnish the necessary lumber to load cars and car loaders to load into the cars all crates accepted by the Distributor for shipment, all at the expense of the Distributor.

SIXTH: The Distributor further agrees to pay freight, refrigeration, cartage on all cars of cantaloupes shipped by him for the account of the Grower, such charges and sixteen per cent commission to be deducted from the gross sales; provided, however, that in case of strikes of any character, car shortage, lock-outs on any railroad or railroads over which the cantaloupes are transported, the Grower agrees not to offer any cantaloupes for shipment if so requested by the Distributor.

SEVENTH: The Distributor further agrees to use his best efforts and judgment in the marketing of said cantaloupes in order to produce the best results and to create a one day pool from the beginning of the season and for the first ten days succeeding shipment of the first car load, and a two day pool for the remainder of the shipping season, which pools will include all shipment of cantaloupes made by the Growers controlled by the Distributor and to send the Grower a statement of the results of said pools as soon as possible after the sale of said cantaloupes.

EIGHTH: It is mutually agreed that the original account of sales covering any car shipped by the Distributor for the account of the Grower, shall be open for the personal inspection of the Grower and the Japanese Farmers' Association upon demand at any time within one year from date of shipment.

The Distributor agrees to keep and maintain an office in Brawley, Calif., where all books of accounts and records shall be kept open at all reasonable times for transaction of business, and shall be kept and maintained till the close of the season and all accounts and settlements in full with the Grower are made.

NINTH: It is understood and mutually agreed between the parties to this contract that no Cantaloupes shall be received from wagons which are not in line for unloading at ten o'clock p. m.

TENTH: It is further agreed and understood between the Distributor and the Grower that the Distributor shall advance as a loan to the Grower $20 per acre for every acre of cantaloupes he agrees and has actually planted in cantaloupes according to this contract, said Twenty Dollars being the cash consideration herein before mentioned, and the same to be paid $10 on the signing of this contract and agreement and $10 Dollars on or before the first day of February, 1920, and that the said Twenty Dollars per acre advance may be deducted, together with material and seed or any unpaid portion of same from the cash crate advance agreed upon in this contract at any time or times during the shipping season, subject to the approval of the Japanese Farmers' Association, and it is further agreed and understood that at the end of the shipping season the Distributor will, as soon as possible, furnish the Grower with a statement showing the average net returns for all crates received for shipment from the Grower, and to pay to the Grower all amounts due him for shipments above the advances, seed and material.

ELEVENTH: The Grower further agrees that the acreage and crate advance hereinbefore provided for shall not be made on such cantaloupes that may be planted by the Grower on land upon which another crop has been planted during the same season.

TWELFTH: And it is further agreed by and between the parties to this contract that the Distributor shall have the privilege, upon one day's notice to the Grower of discontinuing the advance payment on all cantaloupes excepting Fancy Standards and Fancy Jumbos packed forty-five to the crate, and Fancy Flat crates packed twelve melons to the crate. Such notice to be given to the Grower in writing, or by posting written announcement thereof at the shipping shed of the Distributor; and in the event of an oversupply of cantaloupes, and the Distributor is of the opinion that said cantaloupes will not bring the cash advance agreed upon and the guaranteed freight charges, the Grower agrees upon the One Day's notice hereinbefore mentioned that the Distributor shall only be obligated to pay the cash advance on five crates to the acre, consisting of five crates of standards or five crates of jumbos, or fifteen flat crates per acre per day, and that any excess amount offered by the Grower for shipment from said acreage over and above the number of crates stipulated above is to be handled by the Distributor, for the account of the Grower without any guarantee cash advance, but the Grower shall not be required to pack any cantaloupes in excess of said five crates per acre per day.

THIRTEENTH: In consideration of the acreage advance and guaranteed crate advance agreed upon in this contract, Paragraph Fourth and Tenth, the Grower hereby irrevocably assigns to the Distributor for collection any interest of every character which he may have in any claim or claims against any transportation lines interested in the transportation of the cantaloupes accepted under this contract, and agrees to pay the Distributor sixteen per cent on gross amounts so collected, also legitimate expense incurred in making said collections, and by mutual agreements between the Grower and the Distributor, any monies so collected due the Growers are to be prorated when finally collected among all Growers shipping through said Distributor, on the basis of the total crates shipped by each Grower during said season. The Distributor agrees to furnish the Japanese Farmers' Association a complete list of the claims filed showing car number and amount of claim.

FOURTEENTH: Distributor agrees to be responsible for and account to the Grower for and guarantees the payment of all monies due or to become due from each and every sale or sales of all cantaloupes accepted from the Grower for distribution under the terms of this contract. It is mutually agreed between the parties hereto that the inspectors furnished by the Distributor shall make inspection of all cantaloupes at any time, and that said Inspector's decision on grade, quality and pack shall be final and binding on both parties herein.

It is also mutually agreed by both parties hereto that the size of crate and number of melons contained in each crate is to conform to all acts of the Assembly or Legislature in regard to said size of crate or number of melons contained in each crate, or both.

The Distributor does hereby agree to furnish the Japanese Farmers' Association with a copy of car manifest, copy of pool statement and a copy of the original account of sales on all cantaloupes sold for the account of the Grower according to the terms of the contract.

It is mutually agreed that the Japanese Farmers' Association of Imperial Valley shall act and the said Grower does hereby appoint the association as his true and lawful attorney in fact to act for and on behalf of the Grower in all matters pertaining to this contract.

The Grower hereby acknowledged receipt of______________________________ being part payment of the acreage.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above mentioned.

WITNESS: ARTHUR MILLER, Distributor.

By____

____

____

____

Grower.

Section V.

FISHING INDUSTRY.

FISHING INDUSTRY.

In this section:

(1) Volume and importance of fishing industry.

(2) Number of fishermen of each nationality.

(3) Increase of Japanese fishermen, 1915 to 1920.

(4) How fishermen are financed.

(5) Violation of United States navigation laws.

(6) Menace of alien fishing fleet.

(7) Can fishing by aliens be prohibited by state laws?

(8) Laws prohibiting aliens fishing in Oregon,, Washington, British Columbia and Alaska.

FISHING INDUSTRY.

The fishing industry of the state has grown to enormous proportions and as a source of food supply is becoming increasingly important every day. In 1916 the total catch of fish, exclusive of shell fish, was 86,490,392 pounds while in the year 1919, the total catch had increased to 250,453,244 pounds. As to the money value of this product we quote from the report of the State Fish and Game Commission as follows: "The wholesale value of the fish marketed fresh at 10 cents per pound would add $5,000,000 to the total value of fishery products (canned and dried) for the year 1919, making a total valuation of $26,417,743 for the year 1919."

Natural Resources.

It is contended that food fish is a natural resource and in common with the other natural resources of the state is regarded as primarily and inherently belonging to the citizens of the state rather than to outsiders or aliens. The report of the State Fish and Game Commission places the total value of the investments in fish canneries alone in California at $7,708,871 up to December 31, 1919, and in these fish canning and packing establishments there are employed 8,242 persons of which 1,751 are Japanese. Besides there are about 200 Japanese employed in wholesale fresh fish markets in California.

The Orientals, particularly the Japanese, have recognized the importance of this industry and have entered the fishing business in ever-increasing numbers until today there are more Japanese fishermen operating on the coasts of California than any other nationality. On the pages following there is given the total number of commercial fishermen in California divided into nationalities for the fiscal years 1915-16, 1917-18 and 1918-19, as compiled by the State Fish and Game Commission during their licensing periods. These records will show that in the 1915-16 license year there were 491 Japanese fishermen out of a total of 3758, or approximately 13 per cent. The year 1919-20 shows 1316 Japanese out of a total of 4671 or 28 per cent of the total.

From the foregoing it is noted that within a period of about four years the Japanese fishermen have increased in number until they now outnumber any other nationality, having increased about 168 per cent. They also increased from 13 per cent of the *total* number of fishermen to 28 per cent. Of the total number of fishermen's boats operated from the coasts of California, 355 of them are manned by Japanese and 796 are operated by all other nationalities combined, the total value of the Japanese boats being $1,397,000 and the value of all the other boats being $2,055,000.

Financing Japanese Fishermen.

As to the method of financing the Japanese fishermen, we quote from the report of Mr. E. M. Nielsen of the San Pedro office, State Fish and Game Commission, concerning the Japanese in southern California:

> "In most cases Japanese-owned boats are under obligation to some cannery. The cannery furnishes the Japanese with boat and equipment turning ownership over to him but holding a mortgage on same until paid for by the Japanese. Each catch the Japanese brings in, a certain per cent is taken out and credited on the mortgage of the boat. Investigations show that very few Japanese have their boats paid up in full. Japanese boats are registered with the United States Customs House as Japanese-owned boats, that shows Japanese ownership according to the registration, but in most cases mortgages are held by some cannery.
>
> Located at Fish Harbor (East San Pedro) is a Japanese boat-building plant. This firm employs fourteen Japanese. They have cut into the white boat builders considerable, according to information received. Plants operated by Americans claim the Japanese underbid them because they pay their help less and do not turn out as good work. This Japanese firm is now building purse seine boats both for white and Japanese fishermen."

It is clear to be seen that American canneries by financing the Japanese fisherman make possible his operations in competition with American citizens.

Violation of Federal Navigation Laws Alleged.

The State Fish and Game Commission in its report calls attention to the fact that there appear to be many violations of the Federal Navigation Laws. Page 18, Section 9, R. S. 4311 covering the Federal Navigation Laws requires vessels of 20 tons or over, engaged in coastwise trade or fisheries, to be enrolled and licensed and boats of 5 to 20 tons to be licensed only. This latter class, 5 to 20 tons, includes, according to the report of the State Fish and Game Commission, "Practically all of the fishing boats at San Pedro and San Diego," which the commission states are between 5 and 20 tons. The Federal Navigation Laws require these vessels to be licensed and the master of the vessel must swear that he is a citizen of the United States as indicated by the following quotation from the United States revised statutes:

> The master of a licensed vessel shall swear he is a citizen of the United States and if the vessel is less than 20 tons burden "the husband or managing owner shall swear that she is wholly the property of citizens of the United States." (Page 43, section 50, R. S. 4320.) If a licensed vessel is transferred in whole or in part to any person who is not a citizen of the United States, the vessel with her equipment and cargo shall be forfeited. (Page 260, section 281, R. S. 4377.)

If all of the Japanese fishermen's boats are manned and mastered entirely by Japanese, regardless of whether native born citizens or not, it seems apparent that in many instances these laws are being violated. Press reports of April 14, 1920, contain the statement that the United States Attorney General has instructed the United States District Attorney for the southern district of California to proceed in strict enforcement of these laws and to prosecute vigorously any violations. It is stated in the same dispatches that an investigation is being made of this matter.

Immediately upon entrance of the United States into the World War all fishing boats manned by aliens were interned. Subsequently in order to avoid diminishing the fish food supply, the United States Government permitted these boats to go out to fish provided there was upon each of these boats a duly appointed American citizen in charge of it. From this it would appear that a number of these boats are owned and manned by aliens.

Menace in Alien Fishing Fleet.

It is very significant to note that the increase in Japanese fishermen as shown above from the license year 1915-16 to the license year 1919-20 was 168 per cent or 825 persons, while all of the other nationalities combined increased but 2.07 per cent or 88 persons. This increase in the number of Japanese fishermen is confined largely to southern California waters.

For the fishing fleet, operating off our coast, to be manned by an alien people involves several factors vital to the best interests of this country, amounting, in fact, to potential dangers.

(1) Is it good public policy at any time, whether at peace or in war, to have so important a food as the fish supply monopolized by peoples of an alien race? The growth of the fish industry has made it one of the principal sources of food supply for the state.

(2) The fishing boats in their daily and constant travels in and out and up and down the coast acquire an intimate knowledge of coast line, harbors and defenses, which is not only exceedingly valuable if used for the benefit of our country, but would be extremely dangerous to us and serviceable to an enemy if made available to such enemy during a period of war.

(3) The experience of the British, in particular, during the late World War demonstrated the value of the services of the fishing fleet for patrol duty along the coast line during the war, the fishing fleet with its small boats scattered along the entire coast proved exceedingly valuable in reporting the approach of enemy boats and submarines. In the case of California with a fishing fleet manned by aliens, especially if circumstances made them enemy aliens, we would not only lose the valuable services of these boats for patrol duty during a time of war but this same fishing fleet might become a powerful aid to the enemy.

(4) This fishing fleet provides a convenient means for illegal entry into the state. The following language appears on page 409 of the 1919 report of the United States Commissioner of Immigration: "Numerous Japanese fishing boats on the Pacific Coast, operating in Mexican waters, are employed to facilitate the illegal entry of Japanese laborers."

WHAT CAN BE DONE.

Aliens can be wholly prohibited from fishing simply by the enactment of the necessary laws by the State of California. The states of Oregon and Washington both have very stringent fishing laws prohibiting aliens from practically every kind of fishing. British Columbia confines its fishing privileges entirely to British subjects only. As to Alaska, the Congress of the United States has very carefully protected this territory by federal laws prohibiting all aliens from engaging in the fishing industry, allowing aliens merely to fish with hook and line or by gaff or spear, thus entirely prohibiting them from seine fishing or any other method of commercial fishing on a large scale.

It is therefore apparent that aliens are prohibited from commercial fishing everywhere on the Pacific Coast, from the Mexican border to and including Alaska, except the coast of California.

Following are the laws of Washington, Oregon, British Columbia and Federal Statutes relating to Alaska:

Washington.

Section 58. It shall be unlawful for any person to fish or take for sale or profit any salmon or other food or shell fish in any of the rivers or waters of this state or over which it has concurrent jurisdiction in civil and criminal cases, unless such person be a citizen of the United States or has declared his intention to become such and is and has been for twelve months immediately prior to the time he engages in such business an actual resident of this state or an adjoining state; but this section shall not apply to Indians. (Laws of Washington, 1917, p. 798.)

Section 5150-43. *Licenses—To whom not issued.* No license for taking or catching salmon or other food or shell fish required by this act shall be issued to any person who is not a citizen of the United States of the age of eighteen years or over, unless such person has declared his intention to become a citizen, and is and has been an actual resident of the state for one year immediately preceding the application for such license. Nor shall any license be issued to a corporation unless it is authorized to do business in this state. Nothing herein contained shall be construed to prevent the issuance of licenses to Indians, providing such applicants possess the qualifications of residence hereinbefore required, nor prevent the renewal of licenses for fixed appliances by persons now holding the same. (Remington's 1915 Code, Sec. 5150-43.)

The following correspondence between the State Fish and Game Commission of California and L. H. Darwin, Washington State Fish Commissioner, throws considerable light on the operation of the Washington law. The principal case arising in the Washington courts upon this question is that of *Consanti* vs. *Darwin,* 102 Wash. 402, in which the court said:

"That the legislature may prohibit any but citizens of this state and of the United States from receiving a fishing license within this state, admits of no doubt."

SAN FRANCISCO, CALIFORNIA, February 11, 1920.

L. H. DARWIN,
Commissioner of Fisheries, State of Washington,
Seattle, Washington.

Has section forty-three of the fisheries code of Washington, providing that no license for catching food fish shall be issued to persons not citizens of the United States unless such person has declared his intention to become a citizen, been questioned in the courts? Is this law in conflict with the Japanese treaty? Is it being enforced? Wire answer collect.

CALIFORNIA FISH AND GAME COMMISSION.

SEATTLE, WASHINGTON, February 12, 1920.

CALIFORNIA FISH AND GAME COMMISSION,
San Francisco, California.

Responding to your night letter of the eleventh, Supreme Court this state in case of *Consanti vs. Darwin* as Fish Commissioner upheld constitutionality of section forty-three of our fisheries code and went further and said that right of state to limit issuance of fishing licenses to American citizens was unquestionable. We are enforcing this action as against Japanese and all other aliens and no claim has been made to my knowledge by Japanese government that this provision is in conflict with our Japanese treaty.

L. H. DARWIN,
Washington State Fish Commissioner.

Oregon.

Official Correspondence Containing the Law.

GAME COMMISSION OF THE STATE BOARD OF FISH AND GAME COMMISSIONERS
OREGON BUILDING, FIFTH AND OAK STREETS

PORTLAND, April 7, 1920.

MR. CARL WESTERFELD,
Executive Officer, Fish and Game Commission,
San Francisco, California.

DEAR SIR: I am mailing you, under separate cover, a copy of the 1919-1920 commercial edition of the fish laws. Section 132 provides for the qualification of the applicants for licenses. This was passed at the 1919 session of the Legislature.

It has been passed upon by the United States District Court in the case of *Olin vs. State of Oregon.* The court sustained the law. It has been passed upon indirectly by the Oregon Circuit Court at Astoria, and the law was sustained there. Section 134 has been passed upon a number of times by different courts and it has always been sustained under the police power of the state and that clause of the constitution of the United States permitting states to enter into a compact upon consent of Congress.

Very sincerely yours,

CARL D. SHOEMAKER,
State Game Warden.

FISH AND GAME COMMISSION OF CALIFORNIA
SAN FRANCISCO, April 13, 1920.

STATE BOARD OF CONTROL,
Sacramento, California.

GENTLEMEN: You will find enclosed herewith a letter from Carl D. Shoemaker, State Game Warden of Oregon, about the constitutionality of sections 132 and 134 of the Oregon fish and game laws.

Section 132 provides:

"No license for the taking or catching of salmon or other food or shell fish as required by the laws of this state, shall be issued to any person who is not a citizen of the United States and who has not been an actual resident of the state for one year immediately preceding the application for such license; nor shall any license be issued to a corporation unless it is authorized to do business in this state."

Section 134 provides that:

"It shall be unlawful for any person to fish or take for sale or profit any salmon, sturgeon or other food fish in any of the rivers or waters over which the states of Oregon and Washington have concurrent rights and concurrent jurisdiction unless such person be a citizen of the United States or has declared his intentions in good faith to become such and has been for one year immediately prior to the time he makes application, an actual resident of the state in which he seeks to obtain his license."

From Mr. Shoemaker's letter it appears that both of these sections have been declared constitutional by the courts of Oregon and also the federal courts. I regret that he has not given us the citation of the cases in which these laws were construed, but I daresay the Attorney General at Sacramento will be able to find them if they have been reported.

If there is any further aid that we can render you in this matter, we will be glad to do so.

Very truly yours,

C. A. Westerfeld,
Executive Officer.

Revised Statutes of British Columbia, 1911, Chapter 89, Section 13.

The Commissioner may issue, or authorize to be issued, to British subjects only, fishery leases or fishery licenses for fisheries and fishing to be carried on in Provincial waters.

Alaska.

United States compiled statutes 1916, Section 3623 (Act June 14, 1906.)

"It shall be unlawful for any person not a citizen of the United States, or who has declared his intention to become a citizen of the United States, and is not a bona fide resident therein, or for any company, corporation, or association not organized or authorized to transact business under the laws of the United States or under the laws of any state, territory, or district thereof, or for any person not a native of Alaska, to catch or kill, or attempt to catch or kill, except with rod, spear or gaff, any fish of any kind or species whatsoever in any of the waters of Alaska under the jurisdiction of the United States."

Nativity of Fishermen in California.

Year 1915-16		Year 1917-18		Year 1918-19	
Italy	1,310	Italy	1,138	Japan	1,261
United States	1,094	United States	970	United States	1,185
Japan	491	Japan	908	Italy	1,152
Greece	184	Portugal	91	Austria	133
Portugal	152	Greece	87	Greece	123
Russia	82	Austria	83	Portugal	121
Austria	67	Germany	58	Germany	57
Germany	58	Sweden	48	Denmark	46
Sweden	54	China	39	China	45
China	46	Denmark	36	Spain	45
Norway	44	Russia	36	Sweden	42
Denmark	41	Norway	34	Norway	37
Spain	19	Spain	28	Finland	35
England	17	Azores	23	England	29
Canada	13	Finland	21	Russia	28
Turkey	12	England	15	Canada	16
Ireland	10	Canada	11	France	9
Scotland	1	Holland	8	Mexico	9
Miscellaneous	63	Miscellaneous	38	Miscellaneous	20

Section VI.

LABOR.

LABOR.

In this section:

(1) Character of Oriental labor.
  (a) Chinese.
  (b) Hindu.
  (c) Japanese.

(2) Do Orientals work for whites as laborers?

(3) Working and living conditions of Orientals compared with American standards. Americans will never adopt the Oriental standards, and should not. Housing conditions, Japanese and Hindu, in various parts of California as described by inspectors and sanitary engineer of California Immigration and Housing Commission.

(4) Effect of Oriental land occupation upon the American small farmer. American farmers cannot compete with Orientals, especially the Japanese, with their standards.

(5) Percentage of Japanese in various agricultural pursuits.

(6) Sudden removal of Japanese not wise.

(7) Percentage that the Japanese produced of the whole total of various crops produced in the state.

(8) Japanese labor and agricultural activities thoroughly organized.

(9) By-laws of Japanese Association of America.

(10) Treaty of commerce and navigation.

(11) Orientals are increasing their commercial activities.

(12) The farm labor problem of California can be satisfactorily handled without the use of Orientals. Letters from organizations and individuals who have solved the problem with white labor are given.

LABOR.

While it has been generally considered that the presence in California of Oriental laborers has its most detrimental effect upon the laboring classes here, it has more recently been thoroughly demonstrated that this is not a fact. Oriental labor does not enter very seriously into competition with the American laboring classes.

The most serious injury done by Oriental laborers is to the American small farmer. Most of the Oriental laborers coming to California, especially from Japan, are from the agricultural classes and upon arrival enter as quickly as circumstances will permit into agricultural pursuits. It is the usual practice of the Orientals, especially the Japanese, to serve a short apprenticeship as a farm laborer, this service usually being for farmers of his own nationality but as soon as opportunity affords he becomes a tenant farmer, either under lease or some form of crop contract.

Oriental Laborer Works Little for Whites.

As a matter of established fact, the Oriental is of no appreciable value as a farm laborer to the American farmer. Very few of them, compared with the whole total of Orientals in California, are in the employ of American farmers as purely farm help. The presence of Oriental labor, therefore, in California can not be considered of much value to the American farmer who actually farms his own land. The Oriental farm laboring class is valuable principally to land speculators or developers who do not farm their own lands but lease them upon some crop basis to Orientals. As a matter of fact there are probably more white laborers working for Oriental farmers than there are Oriental laborers working for American farmers.

Chinese.

Since the Geary Act of 1882 excluded the Chinese, there has been a steady decrease in Chinese population, the present Chinese population in California being about 40 per cent of the number at the time the act was passed. Because the Chinese have been residents in California for many years, dating back as far as the mining days of '49, it naturally follows that a very large part of the present Chinese residents of California are native-born Californians. Except for a few large agricultural corporations, the Chinese are generally engaged in small commercial enterprises supplying the needs of their own countrymen. Owing to the effectiveness of the Chinese Exclusion Act, the Chinese can not be considered a menace for the future.

Hindu.

The Hindu, in the opinion of the Commissioner of the State Bureau of Labor Statistics, is the most undesirable immigrant in the state. His lack of personal cleanliness, his low morals and his blind adherence to theories and teachings, so entirely repugnant to American principles, make him unfit for association with American people. These references apply to the low caste Hindu or Sikhs. Reports from official authorities concerning these people on file in the office in the State Board of Control are unfit for publication.

In keeping with the above estimate of the low caste Hindu, it is significant to note that although he is a subject of the British Crown, he, nevertheless, has been and is now excluded from practically all of the British provinces, including Canada, Australia, New Zealand and South Africa. In fact, it would appear that the presence in California of the Hindu is largely traceable to one large boat load from British Columbia, out of which country they were forcibly driven.

On a following page is given a copy of a letter from Attorney M. P. Shaughnessy of the firm of Shaughnessy and Atherton, attorneys at law, Stockton, California, Mr. Shaughnessy being the legal adviser for a large part of the Hindus in the State of California. This letter is dated February 16, 1920, and indicates that there are about 2600 Hindus, commonly so-called, in the state, of which 2000 are Sikhs, 500 Mohammedans and 100 Hindus. Mr. Shaughnessy makes the following statement: "You are familiar, of course, with the fact that none of them are now permitted to enter the United States." (See page 108.)

Japanese.

The Japanese, therefore, constitute the principal Oriental to be considered. It has already been stated that the Japanese occupy the status of farm laborer for but a short period after arrival here; that most of their service as such farm laborers is in the employ of their own countrymen here; that these farm laborers quickly graduate into independent lease holders or crop contractors; and that the presence, therefore, of Japanese farm laborers is of little service to the American farmer, but that he enters into direct competition with the American farmer.

Working and Living Conditions.

The working conditions and living conditions of the Japanese farmer and farm laborer make successful competition by American farmers almost impossible. The Japanese farmers and every member in the family, physically able to do so, including the wife and little children, work in the field long hours, practically from daylight to dark, on Sundays and holidays, and, in the majority of cases, live in shacks or under conditions far below the standards required and desired by Americans.

Japanese working and living conditions are shown in the accompanying:

> Report of the Sanitary Engineer of the State Commission of Immigration and Housing. (See page 108.)

Reports of four different Camp Inspectors of the State Commission of Immigration and Housing. (See page 110.)

Letter of H. F. Barton, Special Census Enumerator in Imperial County, for the State Board of Control. (See page 111.)

Impossible Competition.

The presence of the Japanese in agricultural pursuits under such working and living conditions works the greatest hardship upon the small farmer, especially those farmers who perform the larger part of their own work. This impossible competition is emphasized by the fact that the Japanese are in a large measure independent contractors, or land owners, and not ordinary laborers. American farmers can not successfully compete with Japanese farmers if the Americans adhere to the American principles so universally approved in America, including clean and wholesome living quarters, reasonable working hours, the usual Sunday rest and holiday recreation and, above all, refraining from working the women and children in the fields.

The Japanese practically control the production of certain classes of agricultural products, and the number of Japanese engaged in certain classes of agricultural pursuits is greater than that of any other nationality. In proof of this we quote from Yamato Ichihashi, Ph.D., instructor in Japanese history and government and lecturer in economics at Stanford University, whose book "Japanese Immigration," published in 1915, contains charts covering these subjects.

The results shown in these charts which were prepared in 1915 are probably more accentuated today, so far as the percentage of Japanese is concerned. According to Chart No. 1, the percentage which the Japanese represent of the whole total of persons engaged in the growing of the following agricultural products, is as follows:

Berries	88 per cent
Sugar beets	67 per cent
Nursery products	58 per cent
Grapes	52 per cent
Vegetables	46 per cent
Citrus fruits	39 per cent
Deciduous fruits	36 per cent

Chart No. 2 shows the percentage of Japanese workers in certain agricultural pursuits out of the whole total of persons engaged in these activities:

Berry pickers	95 per cent
Vegetable pickers	95 per cent
Celery (hand workers)	94 per cent
Beet toppers and loaders	88 per cent
Beet hoers and thinners	85 per cent
Grape pickers	74 per cent
Pruners	72 per cent
Fruit pickers	58 per cent

Japanese Thoroughly Organized.

Japanese agricultural activities are thoroughly organized. There are fifty-five local associations in the State of California, nineteen in the nine counties of southern California affiliated with the Japanese Agricultural Association of southern California, and thirty-six associations in northern and central California affiliated with the Japanese Agricultural Association and the California Farmers Cooperative Association. All of these local associations are in turn closely connected with the Japanese Association of America, in California, which organization is under the direct supervision of the Japanese Consul General at San Francisco and he in turn is directed by the Japanese Ambassador at Washington. The individual members in these associations pay dues monthly which range from $3 to $15 per year per member. The sum total of the dues thus raised amounting to approximately $135,000 per year in the State of California. This sum is used in such manner as seems advisable to the parent association for the advancement of the agricultural, educational and financial interests of the Japanese.

On pages following is a copy of the by-laws of the Japanese Association of America as it operates in California. (See page 113.)

Sudden Removal Not Wise.

It is but proper to call attention to the fact that any sudden removal of the Japanese from their present agricultural pursuits in California would affect our food supply very seriously. The annual output of agricultural products by Japanese in 1919, approximating $67,000,000, consists of food products practically indispensable to the state's daily supply. The Japanese, being a race of short people, seem willing to engage in those lines of agricultural work which call for so-called "squat labor" or the class of "stoop and pick labor."

Orientals Increasing Commercial Activities.

It must be expected that the Oriental, if crowded out of the agricultural field, will rapidly increase his commercial activities. This has been demonstrated in California by the increasing commercial activities of the Chinese, the race of Orientals that has been longest resident in California, and who now maintain large markets and retail grocery stores, besides operating some very large fruit canneries.

In the hearing before the House Committee on Immigration and Naturalization, June 12, 1919, testimony was presented to show that in Seattle, on April 1, 1919, 47 per cent of the hotels and about 25 per cent of the grocery concerns were operated by Japanese.

Japanese, in particular, are accorded many commercial rights in America by the Treaty of Commerce and Navigation of 1911 between the United States and Japan. A copy of this treaty is given in full on pages following. (See page 115.)

The dependence of any people upon an alien population for its necessary food supply is a condition worthy of serious consideration. Many suggestions have been offered for correcting the present situation. The accompanying letter by T. W. G. Lyons, motor car dealer of Brawley, California, addressed to Governor Stephens, presents one suggestion—that of bringing in Mexican labor. (See page 121.) Others have suggested importing Chinese labor, in bond, to be worked for a limited period of years and returned to China at the end of the period prescribed. It, however, seems to be the more general opinion that the bringing in of any cheap farm labor reduces the productive value of the labor of the American small farmer whose labor is of necessity measured by the wage of the cheap laborer with whom he is compelled to compete. The so-called shortage of farm labor is more apparent than real. Just at present, abnormal conditions prevail in all lines of business, each industry bidding against the other with ever-increasing higher wages. When abnormally high wages are paid in industrial lines, the natural tendency of farm labor is to go to the city. In ordinary normal times, however, ample American farm labor can be secured if proper living conditions and inducements are made sufficiently attractive. The accompanying letter by Dr. Elwood Mead, Chairman of the State Land Settlement Board, points out the economic value of satisfied local communities of American farmers and points to the Durham Land Settlement as an example of what can be successfully accomplished with American farmers under proper conditions. To quote Dr. Mead, who aptly puts it this way:

> "Americans will do any kind of farm or garden work if there is back of it sufficient stimulus to their pride, interest and ambition. The State Land Settlement Act, if sufficiently extended, will settle the problem of intelligent, dependable American labor on the farm. It is the most direct and effective way of mitigating if not ending the menace of alien land ownership and of creating communities that do not amalgamate and of subjecting this state to the menace of racial antagonisms."

Dr. Mead verifies his statements with experiences in similar work by him in Australia, and also points to the methods in this respect followed by France, Germany, Denmark, Ireland, Scotland, Australia and New Zealand. (See page 123.)

Following also is attached letter of Prof. R. L. Adams, Federal Farm Manager for California and Professor of Farm Management at the University of California. He gives an analysis of the present condition of farm labor in California and a classification of California's farm labor needs. Prof. Adams' conclusion is that we should adhere to those classes of farm products which do not necessitate the hiring of undesirable cheap labor including Mexicans, Japanese, Chinese and Hindus; that there are many lines of farm enterprises that may be profitably followed in California that do not require this cheap class of labor; and that we should follow these lines, leaving to other countries the raising of those products requiring vast numbers of cheap laborers. (See page 125.)

American Farm Labor Available.

Even during the last three years, which have been abnormal as regards shortage of labor in all lines of work, the Valley Fruit Growers Association of Fresno, with a membership of 3000, has demonstrated beyond question that sufficient American farm labor can be readily secured, provided comfortable housing, substantial food, properly served, and some opportunity for recreation, is provided upon the farms.

The accompanying letter by W. Flanders Setchel, president of the Valley Fruit Growers Association, outlines in detail how their plans were first started as an experiment and finally developed into an established fact, demonstrating conclusively the possibility of securing satisfied loyal American farm labor in sufficient numbers.

W. FLANDERS SETCHEL

FRESNO, CALIFORNIA, April 6, 1920.

MR. FRANK L. LATHROP,
Farm Expert, State Board of Control,
Sacramento, California.

DEAR MR. LATHROP: Answering your recent inquiry as to my experience as President of the Valley Fruit Growers Association of Fresno in the handling of the farm labor problems of the Raisin District, and its bearing upon the Japanese land question now being agitated so considerably.

Ten years ago the California farmer had no labor difficulties so far as quantity of available labor was concerned. This labor consisted very largely of Japanese, Chinese and hoboes. The Japanese laborer was plentiful in numbers, as was the American hobo. The Chinese, whilst still fairly numerous, were available in lessening numbers. Today, legislative exclusion has reduced the Chinese coolie to an almost disappearing quantity, whilst opportunity has served to transform the able and hard-working Japanese farm laborers into prosperous farmers.

It is my conviction that the Japanese land question of today has arisen out of the disappearance from California farms of Asiatic coolie labor and is, consequently, closely linked with the present agitation in favor of an importation of indentured Chinese farm laborers. Whilst desirous of avoiding any expression of opinion as to the advisability or otherwise of permitting Japanese to further acquire ownership of lands in this state, it must be conceded by all that wherever Japanse have succeeded in acquiring ownership of land they have proved themselves industrious and efficient farmers, and I have personal knowledge of numerous instances where they are regarded as entirely satisfactory and acceptable neighbors by American farmers living on adjacent properties.

The Valley Fruit Growers Association, with a subscribing farmer membership of over 3000, has been actively engaged in the development and distribution of farm labor in the raisin districts since the spring of 1917, and upon it has fallen the responsibility, during the abnormal farm labor shortage of the last three seasons, of handling harvest or "stress" labor requirements, which in the ratio of increase over normal has probably an unique position among the farm problems of this state. When for the first time confronted with a realisation of the dimensions of its problem, this association made the mistake that numbers of farmers in other parts of the state are making today. It raised its voice demanding an importation of coolie labor to do that which was falsely described as not "white man's work," and active steps were taken to ascertain the feasibility of an importation of contract labor upon the theory that white men would not do the necessary work. When the contemplated importation of labor proved impossible, the association was compelled to search amongst the labor resources of this and adjoining states for the thousands of workers necessary to safely harvest the great and valuable crops of this section. The experience of the association convincingly and finally demonstrated that even within the confines of this state there were resources in farm labor ready, willing, and but awaiting the invitation and the assurance of decent living conditions, to come forth from the cities to prove that, given proper housing and right treatment, there is no farm labor requirement in this state that is not truly "white man's work," and for which there are not white Americans available to efficiently and economically perform. As a result of practical experience, the Valley Fruit Growers Association's work has, to a large degree, been resolved into a concentration upon the task of improving the housing conditions of farm workers, and of securing the recognition by the farmers of the fact that today there are no inferior races available to perform coolie labor for them, but instead, there are people ready to work for and with them, kindred in blood and potentially far better factors in the upbuilding of their communities, of their prosperity and of this state. In my opinion, the normal and the "stress" farm labor problems of this state can be effectively solved by the general raising of the standards of living and housing upon the farms. Today, in too many instances the housing provided for farm help would be scorned by an up-to-date hog raiser as unfit for his hogs. It is such conditions that produced the typical California hobo. How could any but the most debased of American humanity be induced to regard labor under such conditions as "white man's work"? Investigation will show that wherever proper housing conditions and decent treatment are assured the workers, there is no farm labor problem.

I have observed that a number of influential farmers of this state have recently expressed themselves as favoring an importation of Chinese under contract, for the purpose of providing a counterpoise to the recalcitrant Japanese, who apparently lack the desired docility and willingness to accept such conditions as these farmers regard as good enough for them. I do not believe the difficulties of the California farmer can be solved by any importation of any kind of labor. On the contrary, such would but serve to debase a standard already abnormally low, primarily because of the very circumstances which it is now desired to reproduce, namely, the presence in large numbers of Asiatic coolies. These same farmers would be quite willing to accept Japanese coolies, provided they could be compelled to remain coolies. The demand for the Chinaman is premised upon the theory that he will remain a coolie, either by his own choice or, alternatively, by compulsion.

Because of and not despite the high wages prevailing during the past two years, the farmers of California have realized a degree of prosperity such as can hardly have been even dreamed of previously. As a consequence, the farmer is well able financially to provide such accommodations for his workers as will make them acceptable to human beings of his own race. The day has dawned for the California farmer when he must be prepared to compete with the industries for his share of the labor supply, and any such disturbance of labor conditions as would be brought about by an importation of cheap labor would, by its inevitable depression of wages in general, react to the direct disadvantage of the California fruit grower, by its consequent reduction in the purchasing power of the masses throughout the country.

In conclusion, it seems to me that the methods employed by some of those agitating for further restriction of Japanese land occupation are such as are liable to produce incidents of international significance and of highly deplorable effect. The issue is above all one for calm and dispassionate consideration, but some phases of the agitation savor strongly of deliberate incitement of racial prejudice and even of mob violence, and are in the highest degree regrettable.

Yours very truly,

W. FLANDERS SETCHEL.

Letter of M. P. Shaughnessy.

M. P. SHAUGHNESSY
Office phone 873
Home phone 4577-J

WARREN H. ATHERTON
Office phone 873

SHAUGHNESSY AND ATHERTON
Attorneys at Law
511-14 Stockton Savings and Loan Society Bank Building

STOCKTON, CALIFORNIA, February 16, 1920.

STATE BOARD OF CONTROL,
Sacramento, California.
(Attention F. L. Lathrop.)

DEAR SIR: Herewith you will find information asked for in your letter of February 3.

The number of Hindus in California is fast decreasing. About five hundred of them have left for India the last year. A rough estimation of their distribution over this state is given below:

Sikhs	2,000
Mohammedans	500
Hindus	100
Total	2,600

Imperial Valley	300
Sacramento County	500
Around Willows	600
San Joaquin County	300
Fresno County	300
Scattered	600
Total	2,600

These men move around a great deal during the year for the reason that they contract farm work, which includes cultivating, pruning grapes or fruit trees, planting fruit trees, planting and harvesting rice, picking grapes and fruit and doing work on a large scale along these lines. Therefore, during the grape picking season great numbers of them are in Fresno County, at the time of rice harvesting there will be about a thousand of them near Willows; during the cotton season in Imperial Valley (this being when the weather is very hot) they go to that place for that work. A number of them own land in San Joaquin County and a few in Contra Costa County.

A number of them also go to the University, as soon as they acquire enough money to pay for their education, and they are studying engineering, agriculture and medicine, for the purpose of becoming proficient in these subjects and returning to their own country, where there is a great opportunity for them.

You are familiar, of course, with the fact that none of them are now permitted to enter the United States; and none of them have been permitted to bring their wives or children here and a very few of them have married here. I do not think there are more than a dozen who have married in this country. Some of them have been admitted to citizenship and many of them have taken out their first papers.

Trusting the above information is of some assistance to you, and trusting that you will feel free to ask me any further questions for the purpose of securing additional information, I am

Very truly yours,

M. P. SHAUGHNESSY.

JAPANESE HOUSING.

By EDWARD A. BROWN, Chief Sanitary Engineer, State Commission of Immigration and Housing.

To thoroughly cover the housing conditions of Japanese, would require more time than the brief amount given in the telegraphic request.

Japanese are found in all parts of California, except Humboldt County. They are in the cities, towns and country districts. They operate large labor camps, packing-house camps, factories, etc.

This short report will deal with Japanese in labor camps, both as employers and employees, and such facts as I am familiar with in the cities.

At different times we have had requests from Japanese, through their association, to look into housing conditions where Japanese were living. Many complaints have been filed in the Commission offices by Americans against housing conditions provided by Japanese employers of American labor. Inspections by the camp inspectors always proved that the complaints were justified. In the rice growing section of California, some of the largest labor camps are operated by Japanese. When the camp inspectors ordered improvements, the Japanese operators would immediately make the necessary changes. One very noticeable feature in a Japanese labor camp where both American and Japanese laborers are employed, is that the quarters provided for Japanese are generally better than those provided for the Americans.

At every camp where Japanese are employed, a bath is provided. (Japanese type.) The Japanese are very clean about their persons, not so much about the living quarters; open toilets, open drains from the kitchen sink, unscreened dining and cooking quarters, and living quarters generally littered with boxes, bags, etc. Their sleeping quarters are, as a rule, a platform built the length of the structure and as many men as can pile on to the platform. The camp inspectors have remedied this condition, wherever found, by separating the platform into spaces, and allowing for a certain number of occupants. Frequently we find the sleeping quarters darkened as much as possible, by boarding over the windows in the structure and the bunks closed in by boards or burlap, a small opening being left in the wall, which has a sliding board. Camp inspectors order the removal of all such enclosures and insist that light and fresh air be permitted into the sleeping quarters.

Our experience with Japanese labor camp operators is that they will make any improvements necessary. They are smart and realize that any time they do not promptly do as told, it is adding to the agitation now being carried on against them. We have but one case on record where it was necessary to prosecute a Japanese labor camp operator to get the camp up to standard.

In California there are hundreds of Japanese farmers who do not come within the labor camp act, living in shack houses, not fit for human habitation. This is a phase of the housing situation which I do not attempt to cover, as it would require a careful investigation. But until that is done, no report on Japanese housing in California will be complete.

In the cities, the Japanese select some district to live in. Frequently it is a district where the former residents have been outlawed. From the first, they start to move into the better parts of the cities. A Japanese quarter in any city of California will show the same conditions—houses crowded, ill smelling, cluttered up with various food stuffs, a store in front and living quarters in the rear. Near Santa Monica, in Los Angeles County, is a Japanese fishing village which I had occasion to investigate. Shack houses, each a fish drying place, open toilets, open sewers, and a stench that made the salt air from the ocean negligible, was the condition that I found. I merely use this as an example of what the usual conditions are where Japanese live.

HINDU HOUSING.

By Edward A. Brown, Chief Sanitary Engineer, State Commission of Immigration and Housing.

Hindus in California are generally employed in agricultural pursuits. They do not take to commercial life, consequently the housing problem, when we deal with Hindus, is a rural and not an urban condition. Our experience in labor camp inspection shows that Hindus are rapidly leaving the employed list and are becoming employers. Particularly is this true in the rice growing section of California, in Yolo, Colusa, Glenn, Butte, Sutter and Yuba counties, also in the cotton district in Imperial County. In the delta section of Sacramento, San Joaquin and Contra Costa counties, numbers of Hindus are employed at what is commonly called "squat labor." In Fresno, Kings, Madera and Tulare counties, we find Hindus employed in some of the orchards and vineyards; also in the sugar beet section in Yolo County and the Salinas Valley. The number is rapidly growing less, for the change from employed to employer or lessee is rapidly placing the Hindu in the position of "little land lord." The Hindu will not farm poor land. He wants the best and will pay for it. Consequently the American owner who can get a big rental for his land desires the Hindu. He will pay.

The Hindu standard of living is so vastly different from ours that it is difficult to present it properly. Their methods of preparing food and serving is very primitive. Dishes, pots and pans are unnecessary in the life of a Hindu. Sanitary conveniences are unknown. The open ground is their dump for what little garbage they have, unscreened kitchens are the rule, open toilets and filthy camp grounds. Their sleeping quarters are, generally, very crowded, except where some religious rule provides privacy. (Note this report is dealing with what is commonly called Hindus, not Mohammedans, Afghans and the other sects.) Any kind of a shack will serve as living quarters for Hindus. When the camp inspectors compel Hindu operators to furnish living quarters fit for human habitation, they can not or do not want to understand. They believe the Hindu standard of living is good enough for their American employees. During the 1919 season we were compelled to prosecute eight Hindu camp operators for violation of the Camp Sanitation Act.

We have had but one case on record where Hindus complained against housing conditions, while our records show numerous complaints by Americans employed by Hindus against the insanitary camp conditions.

The housing conditions where Hindus operate labor camps or where they live when employed by operators of other nationalities, are the same as any other labor camp. The law makes no exceptions and the inspectors demand that the legal requirements be met.

JAPANESE AND HINDU HOUSING.

By Four District Representatives of State Commission of Immigration and Housing.

Antone Scar—*Camp Inspector.*

Regarding Mr. Lubin's request concerning housing conditions, Japanese and Hindus, the only information I could give would be on conditions I found in Sacramento Valley in rice fields. In Glenn, Butte and Colusa counties there are a large number of Hindus and Japs. Most of these live in camps all year round. Hindus' houses are rather filthy. Japs are much cleaner, but their houses are generally overcrowded, and poorly ventilated. There are no Hindus nor Japs in this vicinity (Fort Bragg).

Elmer J. Walther—*Sacramento Representative.*

In Sacramento the Japanese section is, of course, confined to more or less definite boundaries. Living quarters are at a premium at the present time due principally to the scarcity of houses in cities in general. There are probably twenty-five Japanese hotels, boarding houses and lodging houses, only fifteen of which could be counted as of much consequence, the other ten housing only three or four or half a dozen extra people. There are between 2300 and 3000 Japanese in Sacramento city permanently and probably from 600 to 1000 transients. However, due to the good weather at present the number of Japanese in the city is down to minimum, they being out on the farms. The Japanese hotels and boarding houses in Sacramento are for the most part poor. They are old buildings, usually without heat in the rooms and occasionally with no bathroom in the building. There usually is a toilet to each floor. There are poor accommodations for visiting Japanese, there being no first-class hotel.

In the rural districts conditions are crowded, but they at least have bathing facilities which the Japanese use almost daily when they have the opportunity. In the rice growing districts I notice that the Japanese provide good accommodations for their own people, putting up more or less permanent houses with bathing facilities, etc. In the fruit growing districts along the Sacramento River and elsewhere, as well as the vegetable growing districts on the islands, conditions are not so good. They usually have some old cabin or cabins which have been on the place for years and which are very often in a filthy condition. The Japanese farmer usually feeds his help at his own table and during the busy season their eating quarters are exceedingly crowded. As the Secretary of the Japanese Association of the Sacramento Valley put it, "On account of short leases the Japanese are able to obtain they do not feel justified in putting up good accommodations. It is true the tenants eat good, wear good clothes and wear diamonds, but do not build good houses."

What has been said of Sacramento might also be said of Stockton with the exception, probably, that in Stockton there are two or three good Japanese boarding houses. One Japanese attributed the crowded conditions to the fact that people are very reluctant to lease residence property to Japanese.

The living conditions in the rural districts in the vicinity of Stockton and Lodi, where there are a great many Japanese, are none too good. They are crowded to say the least. The quarters of the Japanese in the farming districts, with the exception of the rice districts, seem to be of a more or less makeshift nature. They either adapt themselves to whatever old shacks may be on the place or build small cabins, no larger than is absolutely necessary.

The Hindu housing situation in Sacramento is practically negligible. There are a few Hindus here. I think about a hundred or so would cover it. There are only two or three rooming houses in town and at the present season most of the occupants of these places are out on the farms or working in section gangs on the railroads.

In Stockton there are more Hindus and their quarters are crowded. My experience has been that in cities the Hindus usually patronize Japanese rooming houses and restaurants.

On the farms, especially in the rice districts, the Hindu tenant picks out the best quarters for himself and his own race and the white help and others take what is left. They, as well as the Japanese, are very particular about their baths and there is usually a Hindu style bath house provided.

Mrs. A. S. Calhoun—*Los Angeles Representative.*

Answering your telegram of the twenty-fourth instant regarding housing conditions of Japanese and Hindus in cities and rural districts, I do not know any Hindus here in the city and the city housing department informs me that there is no colony of these people here. I know that there are some in the agricultural sections, however, and Mr. Brown will write you about them.

The Japanese in Los Angeles are well housed and my reports say that they respond quickly to orders or suggestions from the authorities as to improvements or changes in their houses. Indeed, they are often more satisfactory in this regard than the lower class of Americans.

The Japanese have developed two business and residence neighborhoods in the city and property has increased in those sections. Mr. Brown will also take up the question of Japanese housing in the rural district.

Arthur L. Johnson—*Director Fresno Office.*

In reply to your telegram of this morning will state that no investigation of Hindu or Japanese housing conditions has been made from either the Fresno or Bakersfield offices since I took charge on November 1. The only Hindu camps I inspected are the camps of Mr. Keiser near Sanger and of Mr. Pratt (Mr. Foster, Superintendent) near Clovis. See San Francisco records for reports and complaints on these camps.

For report on Japanese housing in Fresno see page 9 of our "Report on Fresno's Immigration Problem," prepared by Miss Richardson.

Interviewed Thomas Dupes, city housing inspector, and Dr. J. P. Cuneo, city health officer at Bakersfield, today and they both state that the Japanese and Hindus have caused little trouble in Bakersfield as far as housing and health are concerned. Dr. Cuneo states that there are no more than eight or ten families in Bakersfield and that they live in fairly respectable houses. As to Hindus he states that there are none here except those who may pass through on their way to another town. Bakersfield being a strong labor union town does not attract this class of laborers both Dr. Cuneo and Mr. Dupes assert.

I am sorry that this is all of the information I am able to furnish you at present.

WORKING AND LIVING CONDITIONS.

Report of H. F. Barton, Special Census Enumerator.

Imperial, California, April 13, 1920.

To the Hon. Stanley Brown,
El Centro, Calif.

My Dear Mr. Brown: I will have to beg your pardon for the long delay in writing you, as I have been sick and had to have the doctor, hence the delay. However, I am feeling quite myself again.

While taking the Asiatic census, I discovered several features of conditions of which I was unaware, and which I think may be of some value to you in work on the Jap question.

First I find the Japs and Hindus are mostly proprietors controlling far more land than they themselves can work, they hire the white man to plow and disc their land; then they hire Mexicans to work for them in their crops, thereby the Jap is proprietor and boss and not the real laborer.

The Randolph Marketing Company have a Jap foreman on Ranch No. 1 and employ Jap laborers mostly on this ranch. Americans are buying land and leasing to Japs even before they get possession, making the Jap lease to commence as late as July 15, 1920. Americans are procuring leases from nonresidents and subletting to Japs, also a great many nonresidents are leasing to Japs through realty agencies. Resident owners are leasing to Japs and living on their land for the purpose of watching the Jap to make him live up to his contract; these are leasing mostly for crop rent. The excuse mostly given by owners for leasing to Japs is the place has gone to Bermuda grass; the Jap will kill it out, the white man won't.

I found two Japs owning 80 acres each in minor's names, one of them a baby girl three months old. I find the Jap women either mothers or soon will be; the men are so proud of the fact they will tell you just when the child will be born. Japs would like to be like Americans if conditions would permit. Their children of school age are attending school instead of working on the ranch. I found one Jap married woman attending the La Verne School and her teacher, Mrs. White, tells me she is a very bright pupil. Before the age of 21 years Jap men are leaving Japan (that is running away) to avoid service in army and navy; in such cases they dare not return to Japan until after the age of 32 years.

Japs who have been here only a short time are very reticent while most of those who have been here a number of years are very free to talk. Of course there are exceptions. I gather from my conversation with them that those who are imported through their association are slaves for at least a time, also a Jap who makes good as a businessman can get all the assistance from the association he wants. Those who are failure are *deported*, but I did not learn where to.

I met a number of well educated Japs and well posted especially on current events and United States history. One in particular receives regularly five papers, two in Japanese language and three in the English; he is well read, shrewd, and speaks fair English; free and willing talker but rather cautious.

The foregoing notations are what I have gathered from my conversations with the Japs, whites and Hindus. I often had to submit to quite an interrogation myself and answer a number of questions and make explanations before Mr. Jap would answer my questions.

If I may be so bold, I would like to offer a few suggestions. First I would say the boycott will never amount to anything more than anti-Jap propaganda.

The state should prohibit aliens from acting as guardians, trustees or agents of minors born in this country of *alien* parents. The state should prohibit any *alien* from becoming (or one who is at the present time, remaining) a member or stockholder or in any other way being connected with any association, stock company or corporation, incorporated, chartered or licensed to do business in the state.

The State of California in connection with the other Pacific Coast states should produce evidence (of which there is plenty) sufficient to bring pressure to bear on the United States government to wake up to the *alien* menace existing here at the present time. When I say alien I mean it in a universal way.

My dear Brown, here it is; use it as you see fit—privately, publicly, or chuck it in the waste basket name and all.

Respectfully submitted.

H. F. BARTON,
Special Census Enumerator, State Board of Control.

THE JAPANESE ASSOCIATION OF AMERICA,

No. 444 Bush Street, San Francisco, California.

AGREEMENT AND BY-LAWS OF JAPANESE ASSOCIATION OF AMERICA.

Section 1. General Rules.

ARTICLE 1.

The name of this association shall be the Japanese Association of America.

ARTICLE 2.

The object of this association shall be to build up the character of every Japanese residing in the United States of America, to protect their rights and privileges, to promote their welfare; and bring about a closer friendship between peoples of Japan and peoples of the United States of America.

ARTICLE 3.

This association is organized by the local Japanese association under the jurisdiction of the Japanese Consulate-General of San Francisco.

Requirement and qualification of affiliation between this association and each local Japanese association shall be decided by the Executive Council.

ARTICLE 4.

The office of the association shall be in the city and county of San Francisco, State of California.

Section 2. Officers and Business Staffs.

ARTICLE 5.

The officers of the association shall consist of a president, a vice-president, four committees on finance, seven committees on management and fifteen members of the executive council.

The officers of this association shall not receive any compensation.

ARTICLE 6.

The members of the executive council shall elect a president, a vice-president, and committees on management among members of each local Japanese association affiliating this association.

The committee on finance shall be selected by the president.

The member of the executive council shall be elected by open ballot of each delegate at the regular convention of delegates in the following proportion, among the members of the local members of the local Japanese association in a district.

Two members from the first district, including Fresno, Tulare County, Kings County, and Kern County. One member from the second district, including Watsonville, San Jose, Salinas, Monterey, Palo Alto, San Mateo and Santa Cruz. Six members from the third district, including San Francisco, Napa and Sonoma counties. Two members from the fourth district including Oakland, Berkeley, Alameda County, and Contra Costa County.

Three members from fifth district, including Stockton, Lodi and Acampo.

Total: 15 members of the executive council.

ARTICLE 7.

Term of office for officers shall be one year and officers may be reelected for another term.

In case of any vacancy among the committees on management, the executive council is authorized to fill the vacancy for the unexpired terms.

ARTICLE 8.

The president shall preside the meetings of committee on management and the executive council; supervise each and every affairs of the association and represent the association in general.

The vice-president shall assist the president and substitute him in case of his absence.

The committees on management shall compose a board and transact any business within its authority.

ARTICLE 9.

The members of council shall compose the executive council and elect a president, a vice-president, and committees on management and conduct the general business of the association according to the resolutions of the convention of delegates.

ARTICLE 10.

The meeting of committee on management shall be held once every month.

The special meeting of the said board may be called by the president whenever he may deem it proper for any emergent business, or at the request of more than one-third of the members of committee.

The meeting of executive council shall be held in January, April, July and October.

ARTICLE 11.

The business staffs of the association shall be a general secretary, secretaries and clerks and they shall be so appointed by the president in consent with the management board.

ARTICLE 12.

The general secretary shall execute the general business of the association under the supervision of the president.

Secretaries and clerks shall attend the business in charge under instruction of the general secretary.

Section 3. Delegate Convention.

ARTICLE 13.

The delegates of each affiliation Japanese association shall consist the convention of delegates, according to the following proportion:

Japanese Association of San Francisco	6
Japanese Association of Sacramento Valley	3
Japanese Association of Fresno	3
Japanese Association of Stockton	2
Japanese Association of Oakland	2
Other each affiliating association	1

In case of a newly affiliation association whose delegate member on the first year shall be decided by the executive council and the case shall be submitted to the next regular convention of the delegates for its ratification.

ARTICLE 14.

Special convention of delegates may be called by the president whenever he may deem it proper, or at the request of more than five affiliating associations.

ARTICLE 15.

In the regular convention of delegates the important business of the association shall be considered and acted upon, the budget of income and expenditure for the corresponding year shall be considered and appropriated and reports of general affairs and finance shall be audited.

ARTICLE 16.

A majority of the total delegates at any convention shall constitute a quorum to do business.

Validity of resolutions or passage of business in the convention shall be done by a majority vote of the attending delegates.

The certificate fees, contribution and 5 per cent tax on membership fee of each local Association shall be income resources to meet the general expenditure of association.

ARTICLE 17.

The income and expenditure of the association shall be settled in a yearly budget.

Section 5. By-Laws.

The articles of this agreement may be altered or amended by two-thirds vote of the delegates assembled in any convention.

Executive council may provide by-laws according to this agreement.

TREATY OF COMMERCE AND NAVIGATION WITH JAPAN.

February 21, 1911.

Treaty of commerce and navigation between the United States and Japan, at Washington, February 21, 1911; ratification advised by the Senate, with amendment, February 24, 1911; ratified by the President, March 2, 1911; ratified by Japan, March 31, 1911; ratifications exchanged at Tokyo, April 4, 1911; proclaimed, April 5, 1911.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA: A PROCLAMATION.

Commerce and Navigation with Japan. Preamble.

Whereas, a Treaty of Commerce and Navigation between the United States of America and the Empire of Japan, was concluded and signed by their respective plenipotentiaries at Washington on the twenty-first day of February, one thousand nine hundred and eleven, the original of which Treaty, being in the English language is, as amended by the Senate of the United States, word for word as follows:

Contracting powers.

The President of the United States of America and His Majesty the Emperor of Japan, being desirous to strengthen the relations of amity and good understanding which happily exist between the two nations, and believing that the fixation in a manner clear and positive of the rules which are hereafter to govern the commercial intercourse between their respective countries will contribute to the realization of this most desirable result, have resolved to conclude a Treaty of Commerce and Navigation for that purpose, and to that end have named their Plenipotentiaries, that is to say:

Plenipotentiaries.

The President of the United States of America, Philander C. Knox, Secretary of State of the United States; and His Majesty the Emperor or Japan, Baron Yasuya Uchida, Jusammi, Grand Cordon of the Imperial Order of the Rising Sun, His Majesty's Ambassador Extraordinary and Plenipotentiary to the United States of America; who, after having communicated to each other their respective full powers, found to be in good and due form, have agreed upon the following articles:

Article I.

Rights of domicile, trade, etc.

The citizens or subjects of each of the high contracting parties shall have liberty to enter, travel and reside in the territories of the other to carry on trade, wholesale and retail, to own or lease and occupy houses, manufactories, warehouses and shops, to employ agents of their choice, to lease land for residential and commercial purposes, and generally to do anything incident to or necessary for trade upon the same terms as native citizens or subjects, submitting themselves to the laws and regulations there established.

Equality of taxes, etc.

They shall not be compelled, under any pretext whatever, to pay any charges or taxes other or higher than those that are or may be paid by native citizens or subjects.

Protection of persons and property.

The citizens or subjects of each of the high contracting parties shall receive, in the territories of the other, the most constant protection and security for their persons and property, and shall enjoy in this respect the same rights and privileges as are or may be granted to native citizens or subjects, on their submitting themselves to the conditions imposed upon the native citizens or subjects.

Exemption from military service, etc.

They shall, however, be exempt in the territories of the other from compulsory military service either on land or sea, in the regular forces, or in the national guard, or in the militia; from all contributions imposed in lieu of personal service, and from all forced loans or military exactions or contributions.

ARTICLE II.

Dwellings, etc., to be respected.

The dwellings, warehouses, manufactories and shops of the citizens or subjects of each of the high contracting parties in the territories of the other, and all premises appertaining thereto used for purposes of residence or commerce, shall be respected. It shall not be allowable to proceed to make a domiciliary visit to, or a search of, any such buildings and premises, or to examine or inspect books, papers or accounts, except under the conditions and with the forms prescribed by the laws, ordinances and regulations for nationals.

ARTICLE III.

Consular officers recognized.

Each of the high contracting parties may appoint consuls general, consuls, vice consuls, deputy consuls and consular agents in all ports, cities and places of the other, except in those where it may not be convenient to recognize such officers. This exception, however, shall not be made in regard to one of the contracting parties without being made likewise in regard to all other powers.

Exequaturs.

Such consuls general, consuls, vice consuls, deputy consuls and consular agents, having received exequaturs or other sufficient authorizations from the government of the country to which they are appointed, shall, on condition of reciprocity, have the right to exercise the functions and to enjoy the exemptions and immunities which are or may hereafter be granted to the consular officers of the same rank of the most favored nation. The government issuing exequaturs or other authorizations may in its discretion cancel the same on communicating the reasons for which it thought proper to do so.

ARTICLE IV.

Freedom of commerce and navigation.

There shall be between the territories of the two high contracting parties reciprocal freedom of commerce and navigation. The citizens or subjects of each of the contracting parties, equally with the citizens or subjects of the most favored nation, shall have liberty freely to come with their ships and cargoes to all places, ports and rivers in the territories of the other which are or may be opened to foreign commerce, subject always to the laws of the country to which they thus come.

ARTICLE V.

Regulation of import duties.

The import duties on articles, the produce or manufacture of the territories of one of the high contracting parties, upon importation into the territories of the other, shall henceforth be regulated either by treaty between the two countries or by the internal legislation of each.

Equality of export duties, etc.

Neither contracting party shall impose any other or higher duties or charges on the exportation of any article to the territories of the other than are or may be payable on the exportation of the like article to any other foreign country.

Equality of prohibitions.

Nor shall any prohibition be imposed by either country on the importation or exportation of any article from or to the territories of the other which shall not equally extend to the like article imported from or exported to any other country. The last provision is not, however, applicable to prohibitions or restrictions maintained or imposed as sanitary measures or for purposes of protecting animals and useful plants.

ARTICLE VI.

Exemption from transit duties, etc.

The citizens or subjects of each of the high contracting parties shall enjoy in the territories of the other exemption from all transit duties and a perfect equality of treatment with native citizens or subjects in all that relates to warehousing, bounties, facilities and drawbacks.

ARTICLE VII.

Rights of limited liability companies, etc.

Limited liability and other companies and associations, commercial, industrial, and financial, already or hereafter to be organized in accordance with the laws of either high contracting party and domiciled in the territories of such party, are authorized, in the territories of the other, to exercise their rights and appear in the courts either as plaintiffs or defendants, subject to the laws of such other party.

The foregoing stipulation has no bearing upon the question whether a company or association organized in one of the two countries will or will not be permitted to transact its business or industry in the other, this permission remaining always subject to the laws and regulations enacted or established in the respective countries or in any part thereof.

ARTICLE VIII.

Equality of imports.

All articles which are or may be legally imported into the ports of either high contracting party from foreign countries in national vessels may likewise be imported into those ports in vessels of the other contracting party, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in national vessels. Such reciprocal equality of treatment shall take effect without distinction, whether such articles come directly from the place of origin or from any other foreign place.

Equality of exports.

In the same manner, there shall be perfect equality of treatment in regard to exportation, so that the same export duties shall be paid, and the same bounties and drawbacks allowed, in the territories of each of the contracting parties on the exportation of any article which is or may be legally exported therefrom, whether such exportation shall take place in vessels of the United States or in Japanese vessels, and whatever may be the place of destination, whether a port of the other party or of any third power.

ARTICLE IX.

Port privileges to be reciprocal.

In all that regards the stationing, loading and unloading of vessels in the ports of the territories of the high contracting parties, no privileges shall be granted by either party to national vessels which are not equally, in like cases, granted to the vessels of the other country; the intention of the contracting parties being that in these respects the respective vessels shall be treated on the footing of perfect equality.

ARTICLE X.

Nationality of vessels.

Merchant vessels navigating under the flag of the United States or that of Japan and carrying the papers required by their national laws to prove their nationality shall in Japan and in the United States be deemed to be vessels of the United States or of Japan, respectively.

ARTICLE XI.

Equality of port dues, etc.

No duties of tonnage, harbor, pilotage, lighthouse, quarantine, or other similar or corresponding duties of whatever denomination, levied in the name or for the profit of government, public functionaries, private individuals, corporations or establishments of any kind shall be imposed in the ports of the territories of either country upon the vessels of the other, which shall not equally, under the same conditions, be imposed on national vessels in general, or on vessels of the most favored nation. Such equality of treatment shall apply reciprocally to the respective vessels from whatever place they may arrive and whatever may be their place of destination.

ARTICLE XII.

Privilege to vessels in postal service.

Vessels charged with performance of regular scheduled postal service of one of the high contracting parties, whether belonging to the state or subsidized by it for the purpose, shall enjoy, in the ports of the territories of the other, the same facilities, privileges and immunities as are granted to like vessels of the most favored nation.

ARTICLE XIII.

Coasting trade exception.

The coasting trade of the high contracting parties is excepted from the provisions of the present Treaty and shall be regulated according to the laws of the United States and Japan, respectively. It is, however, understood that the citizens or subjects of either contracting party shall enjoy in this respect most-favored-nation treatment in the territories of the other.

Discharging at different ports.

A vessel of one of the contracting parties, laden in a foreign country with cargo destined for two or more ports of entry in the territories of the other, may discharge a portion of her cargo at one of the said ports, and, continuing her voyage to the other port or ports of destination, there discharge the remainder of her cargo, subject always to the laws, tariffs and customs regulations of the country of destination; and, in like manner and under the same reservation, the vessels of one of the contracting parties shall be permitted to load at several ports of the other for the same outward voyages.

ARTICLE XIV.

Extension of favored-nation privileges of commerce and navigation.

Except as otherwise expressly provided in this Treaty, the high contracting parties agree that, in all that concerns commerce and navigation, any privilege, favor or immunity which either contracting party has actually granted, or may hereafter grant, to the citizens or subjects of any other state shall be extended to the citizens or subjects of the other contracting party gratuitously, if the concession in favor of that other state shall have been gratuitous, and on the same or equivalent conditions, if the concession shall have been conditional.

ARTICLE XV.

Protection of patents, trademarks, and designs.

The citizens or subjects of each of the high contracting parties shall enjoy in the territories of the other the same protection as native citizens or subjects in regard to patents, trademarks and designs, upon fulfillment of the formalities prescribed by law.

Article XVI.

Former treaty superseded.

The present Treaty shall, from the date on which it enters into operation, supersede the Treaty of Commerce and Navigation dated the twenty-second day of November, 1894; and from the same date the last-named Treaty shall cease to be binding.

Article XVII.

Commencement and duration.

The present Treaty shall enter into operation on the seventeenth of July, 1911, and shall remain in force twelve years or until the expiration of six months from the date on which either of the contracting parties shall have given notice to the other of its intention to terminate the Treaty.

Termination.

In case neither of the contracting parties shall have given notice to the other six months before the expiration of the said period of twelve years of its intention to terminate the Treaty, it shall continue operative until the expiration of six months from the date on which either party shall have given such notice.

Article XVIII.

Exchange of ratifications.

The present Treaty shall be ratified and the ratifications thereof shall be exchanged at Tokyo as soon as possible and not later than three months from the present date.

Signatures.

In witness whereof, the respective plenipotentiaries have signed this Treaty in duplicate and have hereunto affixed their seals.

Done at Washington the twenty-first day of February, in the nineteen hundred and eleventh year of the Christian era, corresponding to the twenty-first day of the second month of the forty-fourth year of Meiji.

Philander C. Knox (seal)
Y. Uchida (seal)

Consent of the Senate.

And whereas, the advice and consent of the Senate of the United States to the ratification of the said Treaty was given with the understanding "that the treaty shall not be deemed to repeal or affect any of the provisions of the act of Congress entitled 'An act to regulate the immigration of aliens into the United States,' approved February 20, 1907"; (Vol. 34. p. 898) and

Whereas, the said understanding has been accepted by the government of Japan; and

Ratifications exchanged.

Whereas, the said Treaty, as amended by the Senate of the United States, has been duly ratified on both parts, and the ratifications of the two governments were exchanged in the city of Tokyo, on the fourth day of April, one thousand nine hundred and eleven; now, therefore,

Proclamation.

Be it known, that I, William Howard Taft, President of the United States of America, have caused the said Treaty, as amended, and the said understanding to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this fifth day of April in the year of our Lord one thousand nine hundred and eleven, and of the Independence of the United States of America the one hundred and thirty-fifth.

Wm. H. Taft.

(seal)

By the President:
P. C. Knox,
Secretary of State.

DECLARATION.

Control of emigration by Japan.

In proceeding this day to the signature of the Treaty of Commerce and Navigation between Japan and the United States the undersigned, Japanese Ambassador in Washington, duly authorized by his government, has the honor to declare that the Imperial Japanese Government are fully prepared to maintain with equal effectiveness the limitation and control which they have for the past three years exercised in regulation of the emigration of laborers to the United States.

Y. Uchida.

February 21, 1911.

Letter of T. W. G. Lyons.

T. W. G. LYONS
Motor Car Dealer
Main and Ninth Streets
Telephone 137

Brawley, California, December 20, 1919.

Hon. Wm. D. Stephens,
Governor of California,
Sacramento, California.

My Dear Governor: I herewith enclose resolutions adopted by the Magnolia-Mulberry Farm Center December 19 in regard to the exclusion of Japanese, Hindus and Mohammedans.

If something is not done in the way of legislation to bar these races, it will be only a comparatively short time until they will have crowded out the white race from the most fertile parts of California, and I believe that it would be to the best interest of the State of California if you would cause an extra session of the State

Legislature at the earliest moment to consider such legislation as is necessary to eliminate this evil.

Many of the people in the state have been rather encouraged to rent their land to this class of people in order to help win the war, by the protection of food stuff, which was so sorely needed during the war which has just come to an end.

I noticed in today's paper a controversy between Frank C. Jordan, Secretary of State, and Senator Inman, over the importation of Chinese coolies, laborers, to take the place of these Japanese, Hindus and Mohammedans, which we desire excluded.

While I appreciate the point Mr. Jordan wants to bring out, I do not agree with him to bring in Chinese coolies as immigrants or as contract laborers, or under any other form, as we have excluded the Chinese before and they have been willing to accept that exclusion, and the Japanese people, believing themselves superior to the Chinese, would consider such act upon our part as unjust, and will probably lead to complications which I hope we will be able to avoid in carrying out our exclusion laws, but as a substitute of this class of labor, it has been my experience from employing all of such laborers that the best possible substitute we could get, and one which would be agreeable to our American people, is Mexican laborers. In other words, I believe if we had a war with Mexico, or an intervention whereby we would establish a permanent government in that unfortunate country, or annex a portion of it, or all of it, and turn loose some eight or ten million peon laborers, who are now virtually starving in that ungoverned country; I have no enmity or ill will towards these people, even though we were forced into a war with them, or with the unstable government which now tries to rule them, and particularly so when it comes to using those people or getting them into our country for laborers, for this reason: that you well know that when we took California over from Mexico, a great many of the Mexican residents of this territory had grants from Mexico, all the way from 1000 acres of land to 100,000 acres of land, and as you well know, that very little, if any of these lands are held by their original owners. In other words, the Mexicans will never undertake to run our business, or acquire our land and crowd out the white people of this country.

Furthermore, if you look at them in the right light, they are to a certain extent, natives of this land, being a mixture of Indian and Spanish blood. It is true that an ordinary Mexican will not accomplish in a day as much as a Chinese laborer, or as much as a Japanese laborer, but if they are paid according to what they do, they accomplish the same results, as far as labor is concerned, and in this letter I will say that if the white farmers, or white men in the State of California could get an ample supply of Mexican labor, they could do all the truck gardening, raising of sugar beets, cantaloupes, vegetables and other products which the Japanese and Hindus and Mohammedans are now doing; and as a matter of fact here in the Imperial Valley, I think I am safe in saying that these Asiatic farmers employ on an average of at least five Mexicans to one Japanese, Hindu or Mohammedan. In other words, these Asiatic farmers are conducting their farms and depending upon hiring Mexican laborers to do the work for them in the proper season. All of the thousands of acres of cotton grown in the Imperial Valley by Hindus and Mohammedans in not one instance have I known of them picking any of the cotton themselves; they depend solely upon the employment of Mexican laborers and negroes, and sometimes white men to pick the cotton for them. Also they chop out all weeds and thin the cotton, and this is almost identical with the Japanese farmer; in other words, they would not be able to farm one-fifth of the territory they do farm if it was not that they employed Mexican laborers to do the bulk of their work during harvest time.

I might also state that the Mexicans are employed to do practically all of the railroad section work in southern California, and practically all the common labor in the Imperial Irrigation District.

Now if this Mexican labor could be extended up through the entire state, the white farmers could do the managing and superintending of the farms, as the Japanese and Hindus do now, and we could get along very well without our Japanese and Hindus, and Mohammedans in the agricultural pursuits of the state.

Should there be any other information that you desire from this part of the state, I would be only too willing to assist in furnishing you with the same.

Wishing you a merry Christmas and happy New Year, I beg to remain,

Very truly yours,

T. W. G. LYONS.

Letter of Dr. Elwood Mead.

ELWOOD MEAD, *Chairman*
PRESCOTT F. COGSWELL
MORTIMER FLEISHHACKER
FRANK P. FLINT
E. S. WANGENHEIM
GLADYS M. CUMMINGS, *Secretary*

LAND SETTLEMENT BOARD OF THE STATE OF CALIFORNIA

BERKELEY, CALIFORNIA, February 26, 1920.

MR. F. L. LATHROP,
Farm Expert, State Board of Control,
Sacramento, California.

DEAR MR. LATHROP: Replying to your inquiry asking my opinion as to what will be the effect of cheap alien labor on the progress of agriculture in California, and on the building up in country districts of a high rural civilization, it is my belief that such labor is not necessary and that to increase the supply would be a political and industrial mistake.

The farm worker is a citizen and a voter. If he is a man of family, his children attend the public school and the family ought to take part in the social life of the neighborhood where they live. It needs no argument to show that a rural neighborhood of this kind is a better example of democracy than a rural neighborhood that is separated into social layers, the land owner above, the worker below.

It is not necessary to create this condition in order to utilize all the agricultural possibilities of California or to do the work on the farm. It can not be done by following the pioneer methods of development which worked well so long as land and water were both cheap.

It can be done if we adopt and use the methods followed in France for the last century of building up a nation of small land owners or do as Germany, Denmark, Ireland, Scotland, Australia and New Zealand have done the last twenty years, buy up, subdivide and sell to actual cultivators, the large estates. This method calls for the active aid and direction of the government in the purchase and subdivision of privately owned land, helping settlers to form cooperative associations, to be joined together in social and other activities which will create communities instead of a large number of isolated individuals. This kind of country life is so much more effective that we should foster it aside from the problem of labor. It is the only way to secure an adequate supply of labor and help make that labor the best kind of citizens.

The things that will withstand the influence and lure of the city is the satisfaction that comes to people from owning the land they live on and cultivate and helping neighborhoods to work together and be bound together by ties of common interests.

The Durham Land Settlement, the first country neighborhood to be created under the California act, has been studied by skeptical and unfriendly critics from more than a dozen countries. It was looked upon by many as a doubtful experiment at home. Today it is a solvent undertaking, and there has not been, from all of the hundreds who have looked at the colony, a single adverse report.

When the Durham Settlement was created it included twenty-six farm laborer's homes. Some people objected to the term "farm laborer." They said it would repel or humiliate applicants. If that is the case, it is time we created a more healthy public opinion. No labor is or should be looked upon as humiliating if it is done well, and this is especially true of anything that requires the intelligence, industry and skill of work on the farm. It is not the term, but it is conditions under which people live that counts, and the twenty-six farm laborers' homes at Durham will compare favorably with the homes of laborers in any industry, and the owners of those homes have a pride in their station that is a rare and valuable thing and needs to be extended. They share in all of the social activities of the community. They are making money. Not a farm laborer has ever been behind in his payments. They all find employment and there is need for more of these homes in that settlement which the Board is now considering how it can meet. The farm laborers at Durham are all white, they are all Americans, and they do all kinds of work. This year a large number of contracts have been made with settlers for growing of tomatoes, spinach and other garden products; the kind of careful painstaking work that we have been told would be done by nobody but aliens. Durham refutes this.

Americans will do any kind of farm or garden work if there is back of it sufficient stimulus to their pride, interest and ambition. The State Land Settlement Act, if sufficiently extended, will settle the problem of intelligent dependable American labor on the farm. It is the most direct and effective way of mitigating if not ending the menace of alien land ownership and of creating communities that do not amalgamate, and of subjecting this state to the menace of racial antagonisms.

The 8000 acres of land bought by the Land Settlement Board in Merced County would have been purchased for Japanese settlers if the Board had not bought it. These Japanese already own 4000 acres to the south of this tract. They had bought 1200 acres to the north of it. If they had secured this area, it would have been a little Japan with enough people and enough business to maintain schools, newspapers and an alien language. The realization of this menace aroused that section of the country and led them to regard the purchase of this land by the State Land Settlement Board as a providential deliverance from a grave economic problem. The feeling of opposition to the purchase and settlement of the 1200 acres of land is so strong that the Board has been asked to buy it and its purchase is now under consideration. If the Board does buy it, it means a permanent democratic American community, farm workers and farm owners living in their own homes, meeting together in the cooperative associations. The sons of the farm laborer today will be the farm owners of the next decade, and California will have the rural life as patriotic and stable as that of France.

The trouble today is that our progress along this line is too slow. Not enough money is being furnished. What we are doing seems trivial compared to what other countries far inferior to us in wealth and landed opportunities are doing. Between 1906 and 1914 the Imperial German Government spent over $400,000,000 buying large landed estates, cutting them up into small farms and farm workers' allotments, improving them and then selling them to settlers on payments extending over fifty years.

Between 1902 and 1911 the government of Great Britain furnished $500,000,000 to buy 9,000,000 acres of land in Ireland and changed a large part of that country from a turbulent, discontented, poverty stricken body of tenants into a sober, industrious, and aspiring body of farm owners.

The purchase and settlement of the large areas of land in Denmark between 1898 and the beginning of the war changed a country menaced by bankruptcy and the loss of most of its country population into a prosperous leader in the world's agriculture.

In 1891 New Zealand had 40,000 separate land holdings used for farming and 60,000 people engaged in farm work.

In twenty years' time, under a land purchase act similar to that of California, which operated with so little disturbance that the people of the country did not realize that a great and radical reform was taking place, the following changes had taken place:

The number of people working on farms had increased to 125,000; the 40,000 farms had increased to 84,000.

In 1890 the value of the farm products was $30,000,000 or about $45 a head for the whole population. In 1910 it had increased to $74,000,000 or more than $74 in value for every one of the people.

In 1890 there were 820,000 cattle; 20 years later, under this land settlement policy, the number had increased to 1,800,000.

This record of agricultural growth and prosperity might be extended. It was secured without any expense to the taxpayer because land settlement has been a solvent enterprise.

Australia is a democracy like the United States. The commonwealth has six states and a constitution which in many of its features is a direct copy of our own. Within the past twenty-five years all of the Australian states have realized that if the country is to be built up and the white Australian policy maintained, the government must take an active interest in enabling men to own farms. All of the states, therefore, have passed acts authorizing the government to purchase privately owned lands, cut them up into blocks of suitable size and throw them open to actual settlement on long and easy terms. Several of the states have passed acts to help create cooperative communities, village settlements and provide homes for farm workers.

Between 1901 and 1914 the different states had bought, subdivided and sold to settlers in small farms the following areas of land:

New South Wales	685,156	acres
Victoria	567,687	acres
Queensland	664,363	acres
South Australia	632,715	acres
West Australia	446,804	acres
Tasmania	60,232	acres
Total	3,056,957	acres

California has great estates; it has agricultural opportunities; it has more wealth than any Australian state, but thus far its purchases amount to 15,000 acres. If there had been acquired and settled under its act an area like that of any of the Australian states except Tasmania, the question of farm labor and of rural progress would be far less serious than it is.

In the period from 1901 to 1914 the state of Victoria had provided homes for 3887 farm laborers on 8829 acres of land. It had provided homes for city workers on 24,904 acres of land.

In the Commonwealth Year Book of 1914 is a review of the progress of closer settlement in the irrigated areas that makes good reading for those who hope to see this policy have large extension in the irrigated areas of California. Speaking of Victoria, it said:

> The movement for closer settlement in the irrigated districts started about five years ago. The state had expended between 3,000,000 and 4,000,000 pounds on irrigation works, which were not being used to their full extent. Under the Goulburn scheme, the largest of the state works, more than half the available water was being wasted. The reason was lack of people to cultivate the land as irrigation requires. Previously, in the various districts the average size of farms varied from 400 to 600 acres, while under irrigation from 20 to 80 acres will now give employment to a good-sized family and furnish them a comfortable living. The large farms of the irrigation districts could not be properly cultivated by their owners, and the only way to make irrigation a success was to subdivide these holdings and bring in farmers to cultivate the smaller areas. To this end the state offered to buy suitable land in any district having a reliable and ample water supply, at a price fixed by impartial expert valuers, and has now purchased about 110,801 acres for this purpose. This land is sold to settlers on 31½ years terms with 4½ per cent interest on deferred payments. These payments are calculated on the Credit Foncier basis and are equalized through the whole period. As a result, the settlers by paying an additional 1½ per cent, or 6 per cent in all, on the cost for 31½ years, pay off both principal and interest. To help the settler of small capital, the state will build him a house and give 15 to 20 years to pay for it, will prepare a part of his area for irrigation and allow payments to be extended over ten years. The cash payments required are as follows: On houses costing less than 100 pounds, 10 pounds; from 100 pounds to 150 pounds, 15 pounds; while on houses costing more the cash payment varies from 12 to 30 per cent of the estimated cost. A cash payment of one-fifth the estimated cost of preparing land for irrigation is required. The state also makes loans to settlers equal to 60 per cent of the value of permanent improvements, these loans to be repaid in 20 years. Five per cent interest is charged on all advances whether for houses, preparing land, or money furnished the settler. In the past five years 1016 irrigated blocks, averaging 61 acres, have been taken by settlers, of whom 401 were from oversea, chiefly from Great Britain, and 615 were Australian. At Shepparton, one of the oldest of these settlements, there are now 234 settlers living where there were originally 25. In Koyuga there are now 46 settlers with good houses, many young orchards, fine crops of lucerne and vegetables, where in November, 1910, there was not a house, a family, or an acre of cultivated land. Under four years ago there were 27 houses in the Rochester district, now there are over 491. In Tongala there are now 190 houses where three years ago there were 30.

Similar progress has been made in the other settlements. Houses now being erected are of a better type than the original ones. This has been made possible because the settlers now applying have as a rule more capital than the earlier ones and desire better homes.

Sincerely yours,

ELWOOD MEAD.

Letter of Professor R. L. Adams.

THOMAS FORSYTH HUNT, Dean
WALTER MULFORD, Director
of Resident Instructions
HERBERT J. WEBBER, Director
of Equipment Station
B. H. CROCHERON, Director
of Agricultural Extension
H. E. VAN NORMAN, Vice Director
and Dean University Farm School

UNIVERSITY OF CALIFORNIA,
College of Agriculture,
Agricultural Experiment Station.

BERKELEY, January 14, 1920.

STATE BOARD OF CONTROL,
Sacramento, California.

(Attention, Mr. F. L. Lathrop.)

GENTLEMEN: I trust that the following may serve as an answer to your inquiry of the thirty-first ultimo. The statements are personal views and should be taken as such. They are the outcome, however, of investigations for both the state and the

United States Department of Agriculture covering a period of about two and one-half years.

To fully comprehend the farm labor situation as it exists today, and has existed for the past three or four years, it is early necessary to recognize the presence of a number of points of view, based on the point of individual contact with the situation, if one is to successfully correlate the wide divergence of opinion. The farmers' feeling in regard to the farm labor situation is the outcome, very largely, of the fact that California agriculture has developed along specialized rather than diversified lines, so that farmers' activities have tended toward the perfecting of a very few main industries. This way of organizing the farming of the state has resulted in a very definite need for help at periods of "peak load" requirements. The development of corporation farming, with its rather different needs from the family manned farm, adds another element. Therefore, one soon finds that he can classify the various arguments for and against any proposition having to do with the changing of the farm labor supply in a way that will place the speaker into one of the five following categories:

(1) The large farm operator who hires all his farming done and makes his profit from the men that he employs. His business desire is to obtain plenty of labor and as cheaply as is consistent with the maintenance of prices for farm products. Competition among laborers results in greater ease in procuring men when wanted, less necessity for providing accommodations, and a reduction in the wage scale.

(2) The working farmer who does all his labor in person, and whose product, when placed on the market, must come into competition with products of other farmers who, if their labor is worth less than his, tend to sell at prices which will reduce the income of this group.

(3) The working farmer who at times is also an employer, and as such has the complex position of desiring to get as much for his own labor as he can, and to hire at a price which will return him as much profit on the work of others as he is able to secure.

(4) The farm worker, whose concerns—wages, hours, board, housing and supervision—are directly affected by any marked increase or decrease in the total supply of or demand for farm labor.

(5) The members of the community, only indirectly in touch with the farm labor situation as it affects the cost of living, but rather directly concerned with the influence of the type, numbers and ideals of a group, the size of the farm labor group in its relation to general public welfare.

Perhaps the matter can be put another way, *e. g.*, the viewpoint depends very largely on whether the private pocketbook or the community welfare is nearest to the front in the eye of the individual. Sometimes the two are rather definitely opposed one to the other. It is evident, if one investigates the matter, that selfishness does at times rule.

I have thus far tried to abstain from the injection of personal opinion. It is obviously not for any one man to say what shall or what shall not be done, until he has time to gather the statistics and facts from a vast number of sources and to carefully weigh the many influences. I may add, however, that if California is to go on with her agriculture, as now organized, she must continue to constantly recruit a supply of labor able and willing to do the hand work necessary to the harvest of many fruits, the growing and harvesting of many field crops as rice, cotton, sugar beets and beans, the production of truck crops in the delta, and the growing of cantaloupes and lettuce in Imperial Valley. Either the supply must be kept up or else a reorganization in our scheme of production is bound to be necessary. Such a readjustment, as matters now stand, may ultimately be best from the community viewpoint, but it certainly can not be accomplished without heavy financial losses to certain industries which have been built up with reliance on the classes of labor that thus far have been to a considerable extent available. Reliance upon labor as now available without future augmentation, greater use of machinery, or similar recommendations, will result in a change from many specialized crops of high acreage value to general crops of low acreage values, if no other relief is forthcoming. It does not necessarily follow, though, that the total available food supply will be materially reduced; rather with some crops as cantaloupes, strawberries and certain fruits, the opposite is likely to be the case. The change can not, however, be brought about without loss to certain producers.

California's farm labor needs may conveniently be grouped into three classes:

(1) Experienced, unskilled men able to do such work as thinning and harvesting sugar beets, chopping and picking cotton, cutting asparagus, digging potatoes, thinning onions, and picking cantaloupes, melons, prunes, berries, and similar types of work.

(2) Experienced, skilled men for teamsters, irrigators, harvesters, tractors, range riding, sheep herding, pruning, spraying and so on.

(3) Unskilled, inexperienced help for hop picking, prune gathering, hoeing weeds, cultivating crops, picking up walnuts and the like.

The present pressing need is for men in both classes 1 and 2, but because farmers see no immediate means of getting men for class 2 work, and do think there is a way of helping out the class 1 situation, it is of the latter that most of the discussion is about. This demand, it is evident, must be met from without the country, and in my opinion, Mexico, at present is the logical source.

In conclusion may I add there still exists in my mind a question as to what the remedy should be. Are we not better off to reorganize on the basis of what we have and to quit fostering industries whose existence depends on the constant recruiting of such peoples as Mexicans, Japanese, Chinese, Hindus, or will the economic advantages of a continuation of this sort of thing more than offset the rather evident social disadvanages? It is an important question and upon its correct answering depends the future of our agriculture in many of its important phases.

Very truly yours,

R. L. Adams,
Professor of Farm Management.

Section VII.

CORPORATIONS.

CORPORATIONS.

In this section:

(1) Very few corporations controlled by Orientals prior to passage of 1913 Alien Land Law.

(2) Many formed thereafter for the purpose of buying and leasing land.

(3) Summary of corporations in state controlled by Orientals.

CORPORATIONS.

Prior to the passage of the California Alien Land Law in 1913, there existed very few corporations controlled by Orientals and those that were in existence were principally commercial corporations. After the passage of the Alien Land Law, ownership of land by individual Orientals who were ineligible to citizenship was prohibited. Orientals, thereafter, for the purpose of avoiding the limitations of the Alien Land Law, formed corporations and bought or leased land in the corporate name.

In order to comply with the provisions of the law relating to corporations having alien stockholders, the majority of the capital stock is issued to some American citizen or citizens to act as trustee. These corporations, however, are in equity owned, controlled and operated, practically, exclusively by Orientals. More recently, the Orientals, especially the Japanese, have resorted to the formation of corporations whose principal stockholders are the minor children, American-born of Japanese parents, the corporations in reality being operated by trustees who are of lawful age.

A brief summary of the farming and commercial corporations controlled by Orientals, together with the acreage owned or controlled by them, is shown below, having been taken from the records of the State Board of Equalization and the State Commissioner of Corporations.

Oriental corporations	Number	Capital stock	Acreage owned or under contract
(*a*) *Farming corporations:*			
Japanese	302	$9,171,500	47,781
Chinese	5	1,170,000	3,753
(*b*) *Commercial corporations:*			
Japanese	75	$4,018,000	
Chinese	7	11,020,000	

NOTE—There is on file in the office of the Board of Control a complete list of all the Oriental corporations in the State of California on January 1, 1920, together with the amount of authorized capital stock of each and the number of acres (in case of land ownership) owned or under contract to purchase by each.

Section VIII.

PICTURE BRIDES.

PICTURE BRIDES.

In this section:

(1) International aspect as affects recognition of marriages consummated in accordance with customs of other nations.

(2) Explanation by United States Commissioner General of Immigration as to practice followed in acceptance of passports held by incoming "picture brides."

(3) Recommendations by Commissioner General.

(4) Full description of so-called picture marriage prepared by the California Farmers Cooperative Association, which is a Japanese organization. (This presents the Japanese viewpoint and includes written announcements by the Japanese Consul General in San Francisco.)

(5) Correspondence explanatory of the Gentlemen's Agreement and the admission of "picture brides" by the United States Government, which correspondence is between Senator Phelan and Acting Secretary of State Wm. Phillips.

(6) Code sections of the Civil Code of Japan covering marriage and adoption.

(7) "Picture bride" practice ordered discontinued by Japanese government, but rules of adoption still remain as before, permitting same results to be accomplished through adoption.

(8) Letter of United States Government Inspector in the Immigration Service explaining procedure in admitting immigrants, especially adopted persons.

(9) Number of "picture brides" arriving at the port of San Francisco from July 1, 1911, to February 29, 1920.

(10) List of vessels arriving at the port of San Francisco during the calendar year 1918, showing number of "picture brides" and recorded births after arrival.

(11) Detailed list of "picture brides" taken from ships' manifests, arriving at the port of San Francisco during the calendar year 1918, address of husbands to whom destined, and dates of births after arrival.

PICTURE BRIDES.

The long established rule among civilized nations that each country recognize as valid, marriages consummated in any other country in accordance with the customs or laws prevailing therein, does not apply to the so-called "picture bride" marriages as most recently practiced by the Japanese.

Prior to the passage by the United States Congress of the 1917 immigration act requiring a literacy test for immigrants, marriages upon American docks immediately upon arrival of the immigrant and before admission by the United States was practiced generally by immigrants of all nations. This was the practice then followed by the Japanese, but, although now alluded to frequently as a "picture bride" marriage, it differs very materially from the more recent practice.

When both parties appeared on the dock and were married, they were both within the jurisdiction of the United States and consummated marriage in compliance with the laws of the state in which the marriage took place. There can be no valid objection to the legality of such marriage provided the parties are competent.

Doubtless many of these marriages were initiated by the exchange of photographs between the parties, and doubtless this applies to nationalities other than Japanese. But unless the marriage consummated on the dock be considered a mere idle act, the exchange of photographs and the registration formality observed in a foreign country can not be construed as having effected marriage.

Mr. Daniel J. Keefe, United States Commissioner General of Immigration, in his report for the fiscal year ended June 30, 1912, states:

> "Passports are given these women on the ground that they are coming to continental United States to join a husband, the arrangement with Japan contemplating that where a Japanese laborer is migrating for the purpose of joining a member of his immediate family the passport may be issued. Most of the women, while they do join the husband, are farm laborers, and immediately become colaborers with their husbands on the farms where the latter are employed or which they are conducting. As these "proxy" or "photograph" marriages would not, of course, be recognized as valid in any of the states of this country, the men to whom these women are going are required to meet them at a seaport and go through a ceremony of marriage legal in the United States. But the bureau feels that two facts growing out of this situation should not be overlooked by those interested in the economic phases of the immigration problem: (1) The practice of furnishing the passport to these women and admitting them on the basis of the passport and a marriage performed at the port opens the way for the introduction into continental United States of large bodies of common laborers—females, it is true, but none the less competitors of the laborers of this country; and (2) this practice must necessarily result in constituting a large native-born Japanese population—persons who, because of their birth on American soil, will be regarded as American citizens, although their parents can not be naturalized, and who, nevertheless, will be considered (and will probably consider themselves) subjects of the Empire of Japan under the laws of that country, which holds that children born abroad of parents who are Japanese subjects are themselves subjects of the Japanese Empire."

And the report of United States Commissioner General of Immigration A. Caminetti, for the fiscal year ended June 30, 1913, contains the following footnote commenting on the foregoing statement:

> "The foregoing views of Commissioner General Keefe seem to the signer of this report especially significant, for they are the result of the retiring Commissioner General's experience in the enforcement of the law and are in exact accord with the writer's observations, both before and since his induction into office. The writer desires, however, to state that he does not agree with the notion that any such marriage is binding upon the United States in the administration of immigration laws; and also that there is no treaty with Japan, or other arrangement whatsoever, that provides for the recognition by the United States of the so-called marriage of a woman in Japan with a man who may be in the United States at the alleged date of the same. The doctrine of *lex loci*, in his judgment, is not applicable to cases of this kind for the above reason, as well as that such marriage is not consummated entirely and completely in the country permitting it, as it is apparent that a part of the so-called marriage is initiated in one jurisdiction or nation, and it is completed in another and entirely foreign jurisdiction or nation."

In his report for the succeeding year, Mr. Caminetti had the following to say:

> "There are perplexing matters that constantly arise in local administration that should be weeded out as soon as sufficient study of conditions will permit a proper and permanent solution. These, too, I should have been pleased to have considered in detail. One of such, against which protests have been made and which the bureau has fully investigated, should be met by positive action. Fortunately neither the immigration laws nor other statutes intervene; practice only gave it life, and regulation should destroy it once and for all. I have reference to the practice of permitting marriages at our stations. The marriage of aliens, where both parties to a union are applicants for admission or where one is a resident and the other such applicant, should be discontinued throughout the service, and no party thereto should be admitted as the wife of a resident who has not consummated marriage with such resident *entirely and completely* in the country in which marriage is alleged or claimed to have taken place."

Assumption by a foreign government, in the matter of marriage, of jurisdiction over both parties, where one of the parties is within the jurisdiction of the United States and therefore entirely subject to the laws of the United States, does not appear to be based upon any provision of domestic or international law.

The laws of the State of California are supreme as to marriage and divorce of persons within the jurisdiction of this state and can not be annulled by Federal Statute or by treaty. The state laws exclusively and absolutely control domestic relations, including marriage and divorce, and the Federal Government has no power over these subjects whatever. The state, on the other hand, can compel every person within its jurisdiction, whether Oriental or otherwise, to comply with its laws governing marriage.

PICTURE MARRIAGES.

In an endeavor to describe "picture marriage," the California Farmers' Cooperative Association (a Japanese association) says:

> "When a man (Japanese) living in America desires to marry, but is prevented by various reasons from going home, he writes to his parents, asking them to find a suitable woman for his bride. The parents, following the usual customs and rules,

fix on an eligible person. Then they intimate to the girl's parents that they are desirous of securing her marriage to their son in America. The parents on either side spare no pains in inquiring into the character, social standing, family relations, genealogy, health and education of the young man and woman. If this investigation proves satisfactory, both to the parents and to the prospective groom and bride, the man in America sends his photograph to the woman, and receives her photograph in exchange. This "interview" through photographs proving satisfactory to both parties, the nuptial knot is tied at a ceremonial dinner in which the groom, living in America, is naturally absent, but which is attended by the bride and the parents and relatives of both sides. This done, the parents register the marriage with the proper authorities. This marriage has been regarded as valid both by the Japanese and the American Government. In many cases exchange of photographs is not required, because it frequently happens that the prospective groom and bride were born in the same town or village and have known each other since childhood.

If we look at it in the above light, there is nothing objectionable in the practice of "picture marriage," which we repeat, is a gross misnomer. It is, therefore, but natural that the American Government should regard this marriage practice, as it has regarded it, as legal and valid.

But in view of severe criticisms directed against this practice the Japanese Government announced on December 17, 1919, that it would stop issuing passports after February 25, 1920. Commenting on this announcement Mr. T. Ohta, the Japanese Consul General in San Francisco, issued this statement:

'This means that about the twenty-fifth of January next, the Japanese consulates in America will cease to receive applications for certificates necessary to secure passports for such women, because it takes about a month for the applications to reach the proper authorities in Japan. Therefore, if any Japanese in continental United States wishes to send for his wife to whom he has been married by the procedure commonly and somewhat erroneously called 'picture marriage,' his application for endorsement must be in the hands of a Japanese consulate at the end of January at the latest. That means that there is only an interval of a month or so in which the Japanese consulates can accept such applications.

This interval, brief as it is, is provided with a view to avoiding inevitable embarrassment which a sudden prohibition of 'picture marriage' would cause to those Japanese men and women who have been making preparations for marriages. It would be unjust to stop the practice all of a sudden and without warning.

This announcement on the part of the Japanese government is another proof that it is earnestly solicitous of maintaining and promoting friendly relations with the United States and especially the people of California. For the sake of amicable relations between our two countries and peoples, Japan is always willing and ready to meet America half way.

For my own part I have all along maintained that any and all problems pending or arising between Japan and America can be, and ought to be, settled by friendly exchange of views. The settlement of the 'picture bride' question is ample proof that between our two governments there is perfect understanding and friendly feeling.' "

It will be noted that the procedure adopted in concluding the so-called "picture marriage" is designated as a "practice" and not as a "custom." It would not appear unreasonable, therefore, to assume that the practice came into being as a direct result of the presence, in this country, of great numbers of young men of Japanese nationality who found it inexpedient to make the voyage home to do their wooing. The reasonableness of the assumption that the "picture marriage" was resorted to as an expedient rather than as a time-honored custom would seem to appear from the following letter from the Acting Secretary of State to the Honorable James D. Phelan, dated August 28, 1919, and inserted in the record of hearings before the Committee on Immigration and Naturalization, House of Representatives (66th Congress, first session, June 12, 13, 14, 18, 19 and 20, and September 25, 1919):

August 28, 1919.

Hon. JAMES D. PHELAN,
United States Senate.

SIR: Adverting to your letter of July 24, relative to the so-called "gentlemen's agreement" between this Government and the Government of Japan for regulating the immigration of Japanese to the United States, I have the honor to say that, after giving due consideration to certain facts and figures recently obtained from the honorable the Secretary of Labor, I have confirmed the opinion which I have held for some time on this subject; that is, that the present arrangement is working with a fair degree of satisfaction, with the possible exception of the immigration of so-called Japanese "picture brides" to the United States.

It might not be amiss briefly to review some of the salient facts bearing on this particular phase of Japanese immigration and on the general operation of the present agreement.

The understanding under which Japanese immigration to the United States is regulated has been in force since 1908. Its principal stipulation is that the Japanese Government will issue "no passport, good for the American mainland, to either skilled or unskilled Japanese laborers, except to those who have previously resided in the United States, or the parents, wives, or children of Japanese residents." From 1908 to May 5, 1917, the date on which the present immigration act went into effect, the class of aliens known as wives of Japanese domiciled in the United States were admitted to the United States only after the performance, at the port of entry, of a marriage ceremony in accordance with the laws of this country, if the applicants were otherwise admissible under the general terms of the immigration law then in force, and if they presented passports issued by the Japanese Government under the agreement above mentioned. The practice did not work satisfactorily, although for the time being it appeared to be the only solution of a delicate phase of the Japanese immigration question.

When the present immigration act containing the illiteracy clause was passed it became necessary to definitely fix the legal status of so-called "picture bride" marriages, as a percentage of the Japanese women of this class who applied for admission had been found to be illiterate. This matter was, therefore, made the subject of correspondence between the Department of State and the Japanese Ambassador at Washington in the spring of 1917. The legal status of Japanese marriages was defined by the Japanese Ambassador (Mr. Sato) in a note dated April 28, 1917, to the department, as follows:

> "I beg to state that in the law of Japan it is provided that marriage is complete and takes effect immediately upon its being notified either in writing or orally to the registrar by both parties with the participation in the act of at least two witnesses of full age and its being accepted by him; that if a document is employed for such notification it must be personally signed and sealed by the parties and the witnesses; but it is not necessary that the parties personally appear before the registrar; that if the notification is made orally both the parties and their witnesses must personally appear before the registrar.
>
> There is no provision in the Japanese law specifically for a case where one of the parties to a marriage contract lives in Japan and the other under foreign jurisdiction, nor has there appeared before the court any case involving this point, for the reason that the places of actual residence of the parties concerned form no essential requirement for a marriage to be legalized. Such being the essence of the formal marriage in Japan, a Japanese man residing in this country can marry a Japanese woman residing in Japan by personally signing and affixing his seal to the document to be presented before the registrar in Japan, and the validity of such marriage is amply attested by the issuance of certified copy of the family registry bearing the official seal of the registrar, which document the so-called 'picture bride' proceeding to this country is always provided with."

After this assurance of the Japanese Government the honorable the Secretary of Labor promulgated the following administrative rule, which is still in force, to cover such cases:

> "That the validity of these marriages be recognized, unless or until it is definitely shown that they are not legal marriages under the laws of Japan, or until it satisfactorily appears that the residence in the United States of one of the parties brings the consummation of the marriage ceremony within the jurisdiction of our laws; that proof of such marriages be required, not only by a certified record of the registrar but also by a certified copy of the notification of marriage made out by the party to the same living in the United States; and that marriages at our ports be prohibited."

Commenting on this rule and on the Japanese marriage law, the Secretary of Labor has this to say:

> "In the administration of the rule just cited, such passports, so long as the agreement is in force, are accepted, unless fraud or mistake in their issuance shall be made to appear.
>
> This department deems it not inappropriate to invite attention to the fact that according to information claimed as authentic, Japan is not the only country whose laws permit of the contraction of marriages while one of the contracting parties is in a foreign jurisdiction. Spain and Portugal, it is alleged, allow the marriage of a resident of one of those countries with a resident then in a foreign country, by permitting representation of the absentee by an attorney in fact, appointed by power of attorney. There may be other nations that have like systems, differing in detail, perhaps, from the system claimed to exist in Spain and Portugal, or from the Japanese method, but agreeing in effect."

With regard to the number of Japanese immigrants admitted to the mainland and Hawaii prior to and since the agreement it is interesting to note that during the 10 years immediately preceding the agreement, 142,656 Japanese were admitted and for the 11 years immediately following the agreement 80,532 were admitted. In the year 1907, immediately preceding the coming into force of the agreement 30,824 Japanese aliens of all classes were admitted. It seems quite clear, therefore, that the agreement has had a decided restrictive influence.

A striking feature of the sex distribution of Japanese immigrants under the operation of the agreement is to be noted. Prior to the agreement Japanese immigration was largely a movement of males, 85.7 per cent of the number admitted being of that sex, but during the 11 years since the agreement only 41.5 per cent of those admitted were males. Commenting on this phase of the matter the honorable Secretary of Labor has the following to say:

> "While this change is mainly due to the fact that under the agreement the immigration of males has been restricted without a corresponding reduction among females, it is undoubtedly true that the result has been more or less affected by a natural law of immigration. It is well known that under this natural law (under normal operation) every new immigration movement includes a preponderance of men, and that as immigration from a country becomes more normal, or settled, the women follow in increasing numbers.
>
> In the case of women coming from Japan this natural law has been stimulated, no doubt, by the method of marriage hereinabove discussed, but to what extent this has been done must be left to conjecture. No doubt under such a system women would come in greater ratio than would be the case where both parties to a marriage are required to be present at its celebration.
>
> At the same time it is obviously difficult to attempt to estimate to what extent this may be true; the difficulty arising mainly from the difference in marriage customs, as under other conditions, no doubt, the natural law above indicated would apply to Japanese in the same way that it has in almost every movement of peoples from one nation to another. And it must also be remembered that under the agreement practically no bar is put in the way of women coming to join their husbands here."

The number of Japanese wives coming to the United States is undoubtedly increasing but the authorities who have in charge the administration of the immigration laws have not found that the Japanese government is violating the agreement.

* * * * * * *

William Phillips,
Acting Secretary of State.

In view of the announced policy of the Government of Japan, to discontinue the issuance of passports to "picture brides" after February 25, 1920, it would be idle to indulge in anticipations of the practical effect of this new and self-imposed restriction, were it not for the fact that the Japanese in this country, in common with a numerous element of our own and other races, have in the matter of overcoming legal obstacles in the past displayed a degree of ingenuity which points unmistakably to their ability to circumvent, should they so desire, the new restriction.

Adoption Possible.

Since the legality of the "picture marriage" is left intact, other forms of domestic relation, equally valid in Japanese law, would have to be covered by a policy of restriction in order to accomplish a substantial reduction in the immigration of Japanese of either sex. We refer, by way of specific example, to the subject of adoption, which is covered by section II, chapter IV, of book IV of the Civil Code of Japan. The following sections are quoted from the translation of L. H. Loenholm:

ARTICLE 837.

A person of full age can adopt a child.

ARTICLE 838.

An ascendant or a person older than the adopter can not be adopted.

ARTICLE 843.

If the person to be adopted has not yet attained the age of fifteen years, his father or mother belonging to the same house may act for him in the adoption.

ARTICLE 844.

In order that a child of full age may adopt or a child of fifteen years or upwards may be adopted, the consent of his father or mother belonging to the house must be obtained.

ARTICLE 846.

The provisions of Article 772 apply correspondingly in the case of the preceding three Articles.

The provisions of Article 773 apply correspondingly in the case of the preceding two Articles.

ARTICLE 772.

For contracting a marriage a child must have the consent of his parents being in the same house. This, however, does not apply, if the man has attained his thirtieth year or the woman her twenty-fifth year.

If both parents are unknown, are dead, have quit the house or are unable to express their intention, a minor must obtain the consent of his guardian and of the family council.

ARTICLE 773.

If a stepfather, a stepmother or a chakubo (*i.e.*, the wife of the father of a natural child which has been recognized by the father) does not consent to the marriage of a child, the child may marry on obtaining the consent of the family council.

ARTICLE 847.

The provisions of Articles 774 and 775 apply correspondingly to adoption.

ARTICLE 774.

A person who has been adjudged incompetent need not obtain the consent of his guardian in order to contract a marriage.

ARTICLE 775.

A marriage takes effect upon its notification to the registrar.

Such notification must be made by both parties and at least two witnesses of full age, either orally or by a signed document.

The foregoing citations from the Civil Code of Japan would seem to bear out the opinion that, for the establishment of the relation of parent and child, the requirements of the Japanese law are similar and analogous to those affecting the marriage relation. This appears to be especially the case in respect to the manner in which these relations take effect, viz, upon notification, by both parties and at least two witnesses of full age, to the registrar, either orally or by a signed document. If, as the comment of the Japanese ambassador quoted above indicates, the places of actual residence of the parties concerned form no essential requirement for a marriage to be legalized, the conclusion seems reasonable that the validity of adoption is independent of the places of actual residence of the parties concerned. It should be noted, also, that a person of full age may be adopted provided he is not an ascendant or senior of the adoptor.

In this connection, the following letter received from the Inspector in Charge, United States Immigration Service, Los Angeles, should be of interest:

UNITED STATES DEPARTMENT OF LABOR.

In answering refer to
No. 5519

Office of Inspector in Charge,
Los Angeles, California, April 8, 1920.

Mr. F. L. Lathrop,
Care of *State Board of Control,*
Sacramento, California.

Dear Sir: As requested in your letter of the fifth instant there is inclosed herewith copy of Department of Labor Form 547, "Sworn statement submitted by relative of arriving immigrants." During the last two years there has been filed in this office approximately four hundred and fifty-five of these forms. Of this number approximately one hundred and seventy-six were filed by Japanese in behalf of Japanese, and of this latter number approximately twenty-three were filed in behalf of adopted sons.

Answering the question contained in the second paragraph of your letter: It is *not* necessary for a Japanese resident in the United States to apply for permission to bring his child to this country; the child, if armed with a passport from his government, is on exactly the same footing as would any other alien be, as for example, Mexicans, a Frenchman or an Englishman. Of course he would be subject to the general provisions of the immigration law relative to his health, mental and moral condition, and so forth. Under these general provisions of the law the Japanese child could not demand admission to the United States merely because his relatives live in this country, but as a matter of fact he would be admitted unless he falls within some of the excluded classes of aliens under the general provisions of the immigration act.

It may be of interest to you to advise that the Bureau of Immigration, on the twenty-ninth ultimo, directed that the use of the inclosed form of affidavit be discontinued in respect of all aliens.

Respectfully,

A. E. Burnett,
Inspector in Charge.

In view of the fact that of the 176 Japanese arrivals referred to in the foregoing letter 13 per cent were adopted sons of Japanese residents of this state, it is obviously unnecessary to make predictions as to the probable course of Japanese immigration into this country under the restriction announced by the government of Japan.

Rather do we purpose to point out the inevitable ineffectiveness, under existing conditions, of a policy which recognizes as valid claims to admissibility based upon passports issued by a foreign government by virtue of laws not of our own making.

The following pages contain statistical data concerning arrival of picture brides, and detailed information as to the number of children born of picture brides who arrived at the port of San Francisco during the calendar year 1918, and were destined to join husbands residing in California, as follows:

1. Number of "picture brides" arriving at the port of San Francisco from July 1, 1911, to February 29, 1920.
2. List of vessels arriving at the port of San Francisco during the calendar year 1918. showing number of picture brides and recorded births after arrival.
3. Detailed list of "picture brides" taken from ships' manifests, arriving at the port of San Francisco during the calendar year 1918, address of husbands to whom destined, and date of births after arrival.

STATISTICS OF PICTURE BRIDES.

The figures herewith submitted are taken from data compiled for the California Farmers' Cooperative Association, a Japanese organization, which published them in a pamphlet entitled "Japanese Immigration and the Japanese in California." It is therein stated that the figures published are confined to arrivals of "picture brides" at the port of San Francisco, the data for the entire continental territory of the United States being at the time unavailable.

The figures given for the periods from July 1, 1919, to February 29, 1920, have been added by us from data gathered at the United States Immigration Station at Angel Island.

Picture Brides Arriving at the Port of San Francisco.

July 1, 1911, to June 30, 1912	879
July 1, 1912, to June 30, 1913	625
July 1, 1913, to June 30, 1914	768
July 1, 1914, to June 30, 1915	823
July 1, 1915, to June 30, 1916	486
July 1, 1916, to June 30, 1917	504
July 1, 1917, to June 30, 1918	522
July 1, 1918, to June 30, 1919	668
July 1, 1919 to December 31, 1919	379
January 1, 1920, to February 29, 1920	95
Total for 8 years, 8 months	5,749

That "most of the women, while they do join the husband, are farm laborers," has been recognized by the Commissioner General of Immigration, whose report for the fiscal year ended June 30, 1912, has already been quoted from.

That their daily occupation as farm laborers has not interfered with the natural increase of the Japanese population of the state is amply demonstrated by the high birth rate among the Japanese of California. Specific figures obtained by us as a result of following up the 524 brides who arrived at the port of San Francisco during the calendar year 1918, all of whom have remained in California, show that of this number 182, or 34.8 per cent, became mothers up to February 29, 1920.

JAPANESE PICTURE BRIDES ARRIVING AT SAN FRANCISCO DURING YEAR 1918, THEIR HUSBANDS AND RESIDENT ADDRESS, FROM RECORD OF SHIP MANIFEST IN OFFICE OF IMMIGRATION BUREAU, ANGEL ISLAND, AND THE RECORDED BIRTHS OCCURRING IN THESE FAMILIES, FROM RECORDS OF STATE BOARD OF HEALTH UP TO AND INCLUDING DECEMBER 31, 1919.

Date	Steamer	Total	Recorded births
Jan. 4, 1918	Persia Maru	11	5
Jan. 14, 1918	Korea Maru	27	14
Jan. 30, 1918	Siberia Maru	21	5
Feb. 17, 1918	Tenyo Maru	33	10
Feb. 22, 1918	Nippon Maru	3	2
Mar. 8, 1918	Shinyo Maru	26	8
Mar. 23, 1918	Persia Maru	14	4
April 7, 1918	Korea Maru	16	10
April 21, 1918	Siberia Maru	22	9
May 6, 1918	Tenyo Maru	29	15
May 23, 1918	Shinyo Maru	17	5
June 9, 1918	Persia Maru	30	8
June 30, 1918	Korea Maru	27	13
July 9, 1918	Siberia Maru	26	11
July 28, 1918	Tenyo Maru	32	13
Aug. 12, 1918	Shinyo Maru	24	9
Sept. 15, 1918	Korea Maru	19	4
Sept. 28, 1918	Siberia Maru	29	6
Oct. 7, 1918	Tenyo Maru	31	12
Dec. 3, 1918	Korea Maru	36	8
Dec. 13, 1918	Siberia Maru	20	1
Dec. 26, 1918	Shinyo Maru	43	11
	Totals	534	182

PICTURE BRIDES ARRIVING JANUARY 4, 1918—"PERSIA MARU."

Births	Surname	Wife	Age	Husband	Address in California
	Takaki	Noso	29	Ikuji	306 Center st., Visalia.
10/ 1/18	Higashi	Tora	22	Kaichiro	1221 Third st., Sacramento.
	Matsumoto	Ishi	25	Kinju	R.F.D. 6, box 743, Los Angeles.
	Yamada	Sumi	34	K.	935 F st., Fresno.
8/13/19	Inouye	Isono	19	Z.	R.F.D. A, box 220, San Jose.
	Nishima	Iso	20	J.	R.F.D. 2, box 234, Acampo.
	Katayama	Kosuye	21	T.	P.O. box 69, Acampo.
2/19/18	Nakano	Fuji	22	Konkichi	P.O. box 446, Fillmore.
	Ifune	Shigeko	----	Zuiho	Gardena.
12/25/18	Kanai	Kichi	22	Nobuzo	P.O. box 80, Huntington Beach.
2/20/18	Sakonoto	Sato	40	K.	158 E. Colorado st., Pasadena.

PICTURE BRIDES ARRIVING JANUARY 14, 1918—"KOREA MARU."

Births	Surname	Wife	Age	Husband	Address in California
	Mori	Tsune	36	Suekichi	Ukiah.
8/12/19	Yonekura	Nami	27	Tokuichi	Stockton.
	Nakano	Midori	29	Extaro	Dinuba.
	Oto	Motono	20	Kiyoshi	Garden Grove.
10/29/18	Kokubu	Setsu	21	M.	922 S. Hill st., Los Angeles.
	Kondo	Kou	22	K.	428 N. Main st., Los Angeles.
1/19/19	Imamura	Kome	26	Y.	R.F.D., box 78, Newcastle.
2/10/19	Morita	Masano	20	K.	1424 Tulare st., Fresno.
1/ 1/19	Heya	Takune	21	Y.	Yuba City.
2/19/19	Nishi	Kikuyo	22	S.	R.F.D., Sacramento.
1/11/19	Yoshida	Isayo	18	Y.	R.F.D. 2, box 14k, Stockton.
	Tanimoto	Haru	18	W.	R.F.D., El Dorado.
	Aoki	Mitsune			Utah.*
3/ 9/19	Shintaku	Kikuno	18	Z.	R.F.D. 3, box 40c, Lodi.

Births	Surname	Wife	Age	Husband	Address in California
10/ 1/18	Amano	Isuno	22	T.	Fresno.
5/10/19	Mitori	Katsume	18	K.	P.O. box 46, Orwood.
12/19/18	Inouye	Sayeno	20	Y.	1601 College av., Berkeley.
	Saiki	Kimi	28	Mihiji	P.O. box 43, La Mesa.
	Sakusai	Koo	22	Jinsaku	Anaheim.
	Misota	Tomoyo	21	Saizo	San Mateo.
12/10/18	Kawashima	Soi	24	Nisabono	Brawley.
	Higashi	Tama	20	H.	2100 N st., Bakersfield.
10/26/18	Mitsuhiro	Suye	25	M.	P.O. box 26, Seville.
	Uchiyama	Qui	35	A.	Santa Clara.
2/17/19	Nishiyama	Tome	19	T.	Los Angeles.
	Wakabayshi	Yoli	27	Fenjiro	P.O. box 222, San Francisco.
	Yoshida	Kame	20	Nakaye	P.O. box 971, Sangebull st., L. A.

PICTURE BRIDES ARRIVING JANUARY 30, 1918—"SIBERIA MARU."

	Asakawa	Tsui	18	Hakutero	San Francisco.
	Itonaga	Miki	23	K.	Stockton.
8/19/18	Murakami	Miyo	24	Mataki	Los Angeles.
	Kaneshige	Tona	21	T.	Stockton.
	Nanji	Fujiye	18	M.	1905 Colton ave., San Diego.
11/18/18	Sakaguchi	Kiku	22	T.	609 N. Fifth st., San Jose.
	Takeno	Tano	46	T.	Elks Club, Merced.
	Mayekawa	Saki	19	O.	R.F.D. 1, box 90, Woodland.
	Hasegawa	Tsuchijo	19	S.	Dorin.
	Sata	Tsuru	25	N.	348 E. Second st., Los Angeles.
3/30/19	Nomura	Mika	19	S.	P.O. box 241, Newcastle.
	Tinida	Sumi	19	M.	P.O. box 200, Fresno.
	Tanaka	Koyumi	19	Tonitaro	Sacramento.
	Tkesaki	Chiju	23	Kuyo	Los Angeles.
11/23/18	Hiramoto	Yone	19	Tomiyemon	Fresno.
	Nishimura	Esa	24	Jintaro	104-5 S. Park, San Francisco.
	Nakamura	Shidzu	22	Yuhachi	P.O. box 5, Fresno.
2/17/19	Kakima	Moto	22	Kyokichi	R.F.D., box 43, Walnut Grove.
	Yanagi	Namuri	17	Kurakichi	Stockton.
	Shibata	Kotoya	23	Sogaro	Courtland.
	Itonaga	Miki	23	Kumoyemon	Stockton.

PICTURE BRIDES ARRIVING FEBRUARY 17, 1918—"TENYO MARU."

	Fuki	Sakai	22	U.	Glendora.
	Hatada	Mikuno	----	A.	P.O. box 1, Klink.
	Sekiva	Yoshi	22	E.	612 N. 6th st., San Jose.
	Takai	Zishi	27	Hakatoro	R.F.D. 1, box 180, Puente.
	Kanno	Tatsu	20	Kesuke	1231 M st., Sacramento.
9/20/19	Hori	Mine	19	Kuna	135 Public Market, Los Angeles.
	Kawayoye	Misaki	23	Hidewo	700 Wall st., Los Angeles.
	Nokajima	Suna	21	Zeikichi	124 Pacific ave., Sacramento.
	Togusakawa	Kow	22	Taizo	Los Angeles.
	Fukuda	Tsukino	18	T.	248 E. First st., Los Angeles.
12/23/19	Arai	Haki	25	S.	1222 Third st., Sacramento.
1/ 2/19	Yoshida	Fujiye	19	T.	305 E. 2d st., Los Angeles.
12/12/18	Hayashi	Tetsuno	26	M.	225 S. El Dorado st., Stockton.
	Yamashita	Tsukano	22	Y.	Niles.
12/ 2/18	Nogami	Sakaye	20	S.	Alvarado.
	Mori	Kazuye	19	M.	623 Sixth st., San Jose.
	Ishidashi	Takaye	21	W.	R.F.D., box 108, Long Beach.
	Takasumi	Naka	33	H.	R.F.D. 2, box 41, Gardena.
2/26/19	Miyamura	Masumi	23	K.	424½ N st., Sacramento.
1/ 4/19	Kuwamoto	Matsuyo	20	S.	12 E. Perdido st., Santa Barbara
	Shimamoto	Shuki	29	R.	R.F.D. 12, box 298, Los Angeles.
10/26/19	Inamasu	Kuniyo	19	K.	P.O. box 138, Dinuba.
	Higuchi	Tsuneyo	19	Y.	Mountain View.
	Ishida	Kazuye	19	S.	1418 Flower st., Los Angeles.
	Nakasuji	Toku	18	T.	R.F.D., Van Nuys.
1/ 8/20	Ojima	Ushio	22	Toyoki	P.O. box 18, Stockton.
	Kitaoka	Masako	23	K.	P.O. box 91, Fulton.
	Nakajima	Toshi	24	M.	Fulton.
	Terada	Akiyo	22	T.	Standish.
	Hasegawa	Masumi	23	A.	506 E. 1st st., Los Angeles.
3/ 8/19	Uyeno	Asa	21	S.	R.F.D., box 239, Fresno.
	Ichiuyu	Yoshi	23	D.	P.O. box 592, Monrovia.
	Hata	Katsuyo	22	J.	581 Grant ave., San Francisco

PICTURE BRIDES ARRIVING FEBRUARY 22, 1919—"NIPPON MARU."

Births	Surname	Wife	Age	Husband	Address in California
2/ 1/19	Nishida	Sosano	21	K.	Visalia.
1/20/19	Matsumoto	Taka	19	R.	P.O. box 86, San Fernando.
	Seto	Yama	19	Fukutoro	2600 Twenty-third st., San Francisco.

PICTURE BRIDES ARRIVING MARCH 6, 1919—"SHINYO MARU."

	Murayama	Fude	----	Densaburo	San Francisco.
	Fuji	Kikuno	----	Fujisuke	San Francisco.
	Iwaide	Shina	----	Shigenobu	San Francisco.
2/11/19	Hirata	Umeno	----	Inokichi	Los Angeles.
12/14/18	Fukuchi	Kiriyi	----	Y.	P.O. box 404, Martinez.
6/ 4/19	Yamada	Tomoyo	----	H.	R.F.D. 1, box 1, San Jose.
	Uyesugi	Shizuye	----	I.	R.F.D. 1, Idaho.
1/ 4/19	Kobayashi	Sumiyo	----	S.	Box 231, Arlington.
10/ 8/19	Matsuoka	Asa	----	K.	P.O. box 2, Grafton.
	Shimanoto	Kyo	----	Y.	P.O. box 141, 6 Main st.. Lodi.
	Hayami	Usa	----	O.	820 Anacapa st., Santa Barbara.
	Yoshimura	Tomie	----	T.	542 Fifth st , San Diego.
	Hirakame	Shige	----	K.	P.O. box 21, Guadalupe.
	Ikomo	Shige	----	S.	P.O. box 61, Lodi.
	Yokomichi	Haruye	----	Y.	129 K st., Sacramento.
10/ 4/19	Kimura	Chika	----	Sadakichi	303 Jackson st., Los Angeles.
	Saupei	Haru	----	Yeroku	R.F.D. 3, box 1, San Diego.
	Tajima	Tomiye	----	Yenosaburo	P.O. box 78, Holt.
	Takahashi	Fuke	----	K.	345½ Jackson st., Los Angeles.
1/25/19	Murakoshi	Miye	----	Ubei	Santa Barbara.
	Okubo	Katsuyo	----	Shuzo	Care California R'ce Co., Colusa.
	Watanabe	Hisa	----	Matakichi	Los Angeles.
1/11/19	Furuya	Taki	----	Toyoko	Guadalupe.
	Yamagishi	Kimiya	----	Tomekichi	P.O. box 89, Guadalupe.
	Yego	Wai	----	Yoshitaro	R.F.D. 1, box 905, Los Angeles.

PICTURE BRIDES ARRIVING MARCH 23, 1919—"PERSIA MARU."

11/30/19	Shinamura	Chei	----	Kobachi	San Gabriel.
	Gyotoku	Toki	----	Tatsusaburo	Watsonville.
	Oyama	Mitsu	----	Toichi	San Francisco.
	Tanoue	Momeo	----	Nikuma	Los Angeles.
2/ 8/19	Katsuki	Hisa	----	Fusajiro	Stockton.
	Hirose	Tochi	----	Gentaro	Stockton.
	Morita	Kou	----	N.	Fresno.
	Nishi	Fuki	----	S.	P.O. box 129, Lemoore.
4/27/19	Mayeda	Hisano	----	R.	P.O. box 193, Sanger.
	Konishi	Matsuye	----	Y.	250 First st., Los Angeles.
	Fujihara	Moto	----	S.	220 N. San Pedro.
	Nakao	Waki	----	K.	2919 Pine st., San Francisco.
	Hada	Mitsuye	----	M.	P.O. box 524, Penryn.
8/22/19	Nakashima	Ryu	----	Kamataro	4218 California st., San Francisco.

PICTURE BRIDES ARRIVING APRIL 7, 1919—"KOREA MARU."

1/17/19	Nakashimi	Kimi	----	Yaohachi	Alameda.
5/20/19	Koike	Koginu	----	F.	1419 Fourth st., Sacramento.
	Azuma	Tora	----	Sugeichi	P.O. box 82, East San Pedro.
8/19/19	Takemoto	Riu	----	Toyokichi	1226 Third st., Sacramento.
5/ 3/19	Akabori	Umeji	----	Mitsuo	R.F.D., box 29, Del Rey.
	Nakagawa	Kono	----	Kyugoro	P.O. box 24, Oakdale.
4/ 6/19	Kondo	Towa	----	Hisaye	P.O. box 255, Biggs.
	Yamaguchi	Fune	----	Yoshitaro	P.O. box 574, Upland.
	Iwai	Tsuneyo	----	S.	Marysville.
5/ 1/19	Yamane	Miyaki	----	Genkichi	R.F.D. 1, box 129, El Monte.
4/13/19	Tanaka	Yukiko	----	Santsuchi	P.O. box 215, Newcastle.
5/31/19	Kaneko	Yasuno	----	Kurokichi	236 Jackson st., Los Angeles.
7/11/19	Hayashi	Toyo	----	Chukichi	70 King st., San Francisco.
	Nakamura	Shidzuki	----	Ujiro	P.O. box 981, Brawley.
	Haijima	Tsune	----	Jokutaro	San Bernardino.
5/23/19	Inouiye	Toku	----	Zenziro	919 G st., Fresno.

PICTURE BRIDES ARRIVING APRIL 21, 1918—"SIBERIA MARU."

Births	Surname	Wife	Age	Husband	Address in California
1/25/19	Aoki	Sue	----	Zenya	P.O. box 518, Vacaville.
2/14/19	Kamamaru	Kise	----	Bunkichi	Stockton.
	Nakasono	Sakae	----	Yaichi	Brawley.
	Takemiya	Kazu	----	Senjiro	San Pedro.
9/16/19	Hatai	Motoyo	----	Hidekichi	Box 286, Fresno.
	Minamoto	Tameyo	----	Saichi	P.O. box 856, Fowler.
	Kuyata	Tane	----	Gentaro	Los Angeles.
	Yoshinaga	Kazu	----	Seimitsu	R.F.D. 25, Riverside.
	Shimada	Yakuye	----	Torakichi	R.F.D. 3, East Park.
4/22/19	Sakatani	Yoshi	----	Kanekichi	46 E. Lafayette st., Stockton.
	Nakamoto	Tsutaro	----	Kaichi	P.O. box 154, Auburn.
5/ 9/19	Takaoka	Susuyo	----	Zentaro	P.O. box 306, Sierra Madre.
	Nakamura	Itono	----	Masutaro	P.O. box 70, Reedley.
5/ 6/19	Shimadu	Asa	----	Kenichi	Fresno.
	Morita	Kaku	----	Isaburo	1615 Buchanan st., San Francisco.
8/25/19	Kubota	Mataji	----	Akira	Post st., San Francisco.
5/15/19	Nishihara	Shite	----	Shikokichi	Fresno.
	Nakashige	Fume	----	Yeiso	1691 Seventh st., Oakland.
	Tanaka	Matsuye	----	Shigejiro	1658 Post st., San Francisco.
	Hoshino	Kou	----	Imayemon	1814 Post st., San Francisco.
	Oshika	Tsum	----	Shoshiro	Sacramento.
7/ 1/19	Hamaguchi	Tei	----	Yoshimatsu	San Pedro.

PICTURE BRIDES ARRIVING MAY 6, 1918—"TENYO MARU."

	Nishimoto	Sakio	30	Tarchiro	1307 Third st., Scramento.
	Akogi	Mura	32	Kengo	2224 Santa Clara st., Alameda.
	Ogino	Hamyo	21	D.	San Diego.
12/21/19	Sato	Etsu	18	T.	Alameda.
	Iwamura	Shizu	29	J.	Courtland.
	Koga	Taka	20	G.	Bakersfield.
6/16/19	Masuda	Miki	25	U.	South Park.
2/ 1/19	Tawara	Sada	22	M.	Post st., San Francisco.
8/ 5/19	Kojima	Tome	23	G.	Main st., Colusa.
7/19/19	Yamamoto	Yoshino	18	Hirogi	P.O. box 8, Castroville.
	Fukumitsu	Ichi	28	Tameichi	Marigold.
6/ 7/19	Masui	Yasuno	28	Horukichi	P.O. box 23, Thornton.
1/28/19	Nishikawa	Sakiyo	20	Wasaku	435 Wall st., Los Angeles.
5/12/19	Shiosaki	Yetsu	24	Otomatsu	P.O. box 644, Monterey.
	Nishi	Sho	22	Shosuke	404 E First st., Los Angeles.
	Niguchi	Shigeye	21	Kyuso	R.F.D., box 232, Anaheim.
4/ 1/19	Tamura	Kiyo	20	Buikichi	P.O. box 174, Stockton.
	Kusa	Sumiye	21	Kantoro	1401 Fourth st., Sacramento.
3/19/19	Matsuo	Sakaye	23	Ikuro	2270 S. Colorado st., Pasadena.
	Hamabe	Iki	31	Kyuso	1005 E. Fourteenth st., Los Angeles.
	Takiguchi	Suye	37	Yosukichi	P.O. box 82, Florin.
	Nishi	Swaye	20	Saichiro	302 Center st., Stockton.
	Tazuchi	Umo	34	Kamekichi	404 E. First st., Los Angeles.
2/25/19	Watanabe	Kimu	23	Kunetoro	Kings City.
3/29/19	Serizawa	Saki	20	Gisaburo	P.O. box 46, Pasadena.
	Ooshika	Misawo	25	Kaochi	Sacramento.
3/ 3/19	Matsuura	Kimiwo	22	Shoyemon	Mountain View.
4/12/19	Kimura	Tama	21	Yoshimatsu	Sacramento.
	Nakamoto	Wasa	26	Kyuhei	Stockton.
5/ 1/19	Okabe	Asawo	19	Umenosuke	R.F.D. 2, box 980, Walnut Grove.

PICTURE BRIDES ARRIVING MAY 23, 1918—"SHINYO MARU."

	Naitou	Mitsue	----	Manzo	El Dorado st., Stockton.
	Sakata	Satsuki	----	Torazo	Fresno.
3/21/19	Fukiage	Matsu	----	Kosaku	Del Rey.
	Inoue	Tsuru	----	Kamesaki	San Jose.
	Shoji	Tora	----	Tokiye	840 California st., San Francisco.
6/10/19	Kato	Tsuruye	----	Taranosuke	P.O. box 28, Wilmington st., Los A.
11/22/19	Ishikawa	Yoshiye	----	Yoshimatsu	P.O. box 24, East San Pedro.
	Hamaoka	Chiye	----	Sadazo	P.O. box 13, East San Pedro.
	Hayashi	Noye	----	M.	1948 Bush st., San Francisco.
	Ando	Muraye	----	Yoshio	R.F.D., box 482, San Jose.
	Nakamura	Ai	----	Shinkichi	Sebastopol.
	Yuki	Sumino	----	Hitoshi	1586 Kern st., Fresno.
4/26/19	Takagi	Kiyo	----	Kensuke	Los Angeles.
8/16/19	Yanagi	Shiwo	----	Gonkichi	410 Grant ave., San Francisco.
	Nagata	Toyoko	----	Kichijiro	164 Harold ave., San Francisco.
	Matsushita	Fumi	----	Tetsuzo	San Francisco.

PICTURE BRIDES ARRIVING JUNE 9, 1918—"PERSIA MARU."

Births	Surname	Wife	Age	Husband	Address in California
	Sakada	Sono	----	Kameyemon	15 Seventh st., Oxnard.
	Oku	Masaya	----	Masanojo	R.F.D. 1, box 35, Lindsay.
	Yonokida	Kohani	----	Ichimatsu	411 Ocean av., New Monterey.
	Takao	Namo	----	Masaichi	P.O. box 512, Vacaville.
4/26/19	Tanaka	Kumaye	----	Shintaro	R.F.D. 1, box 11, Florin.
	Nishino	Kota	----	Kanichi	P.O. box 394, San Pedro.
	Tanaka	Kiku	----	Sukeichi	Washington st., San Francisco.
	Kurisu	Hanano	----	Jiro	R.F.D. 8, box 802, Los Angeles.
5/24/19	Kadawaki	Tsuruno	----	Kenyo	Stockton.
	Katsuma	Yashi	----	Yukio	821 S. Olive st., Los Angeles.
	Kawashima	Shidzuye	----	Yeiki	Los Angeles.
	Matsuno	Tome	----	Matakichi	Niles.
	Shinomoto	Tamo	----	I.	Isleton.
	Kimura	Kiku	----	T.	244 W. Colorado st., Pasadena.
4/ 1/19	Inouje	Kiyoko	----	Masao	138 Main st., Watsonville.
	Kakudo	Yayo	----	Kohei	P.O. box 67, Salinas.
	Hirataka	Masa	----	Seiji	P.O. box 185, Milpitas.
	Tsuchimoto	Kina	----	Kichimatsu	P.O. box 153, Dusor.
9/29/19	Hirata	Kikuko	----	Tadashi	R.F.D. A, box 236, Dinuba.
	Okawa	Tora	----	Fusakichi	Sanville.
6/18/19	Yamanaka	Tora	----	Hachiro	R.F.D., box 88, Florin.
	Touyama	Shidzuno	----	Masaharu	R.F.D. 4, box 1310, Sacramento.
	Higuchi	Fuku	----	Shiro	R.F.D. 1, box 202, Gardena.
5/ 8/19	Ono	Kawayo	----	Bunsaku	P.O. box 8, Simons st., Los Angeles.
3/25/19	Nemoto	Shimo	----	Manabu	Alameda.
4/15/19	Tanaka	Seiki	----	Kunisuke	1631 Post st., San Francisco.
	Shinomoto	Fude	----	S.	
	Shingu	Kiwa	----	Nobue	Watsonville.
	Yasuda	Chiye	----	Tsunekichi	Sonoma.
	Mijumoto	Tsuya	----	Torakichi	P.O. box 26, East San Pedro.

PICTURE BRIDES ARRIVING JUNE 30, 1918—"KOREA MARU."

11/29/19	Hoshida	Toku	18	Juzo	San Jose.
	Inamura	Teri	25	Hikita	Long Beach.
	Tsunoyai	Masaye	30	Yosakichi	R.F.D. C, box 215, San Jose.
11/ 7/19	Takemori	Mitsuye	23	Gonjiro	P.O. box 696, Vacaville.
	Yamamoto	Fuku	34	Iwamatsu	138 Main st., Watsonville.
	Okumura	Tsune	22	Yagoro	807 Decatur st., Monterey.
	Doi	Kiku	24	Genichiro	P.O. box 222, Riverside.
4/28/19	Nakamura	Ikuyo	20	Chosaburo	Parlier.
7/10/19	Takahara	Masuye	30	Shikoto	1401 Fourth st., Sacramento.
	Iwatsubo	Matsuye	23	Masutoro	San Bernardino.
6/15/19	Tashima	Kinu	22	Minogoro	1541 Kern st., Fresno.
	Shimidzu	Sachi	22	Kiyoshi	Orwood.
	Inouzuka	Tsune	24	Yeisaburo	Watsonville.
	Umino	Naka	20	Gonkichi	Fresno.
5/15/19	Nagai	Kyono	23	Konosuke	R.F.D., Loomis.
	Yamoshita	Mosu	28	Kyuso	R.F.D. 2, box 1527, Sacramento.
	Mayeda	Chii	21	Yeikichi	1885 San Pablo av., Oakland.
	Kawose	Mineyi	25	Gitaro	709 E. First st., Los Angeles.
8/20/19	Fujiki	Misaye	23	Tomogo	18 San Juan rd., Watsonville.
	Ito	Kameno	18	Otogusu	P.O. box 141, East San Pedro.
8/ 2/19	Ishikata	Chiyeno	31	Tatsuyo	1801 W. Sixty-first st., Los Angeles.
7/ 8/19	Kubota	Masa	19	Masatoro	Red Bluff.
2/ 6/19	Shirai	Haru	[illegible]	Seitaro	P.O. box 128, Redondo.
10/ 4/19	Yamauchi	Koto	22	Yorijiro	Stockton.
6/ 4/19	Kato	Yane	18	Isaku	5 Beacon Tract, Stockton.
6/29/19	Fujii	Tomoye	19	Kakichi	R.F.D. 2, box 201a, Santa Barbara.
	Nishioka	Yakayo	20	Kulatoro	P.O. box 46, Walnut Grove.

PICTURE BRIDES ARRIVING JULY 9, 1919—"SIBERIA MARU."

Births	Surname	Wife	Age	Husband	Address in California
7/ 1/19	Hasegawa	Hiro	.....	Tokujiro	Care Central Tubb, San Pedro.
5/16/19	Makumoto	Kawai	20	Soichi	222 First st., Los Angeles.
	Ijiri	Shisu	20	Keitaro	965 F st., Fresno.
7/25/19	Mitsuuchi	Kuma	21	Takamara	P.O. box 24, Tropico.
	Normura	Kono	26	Ichinosuke	1307 Third st., Sacramento.
	Masuda	Wuaunni	19	Katsuj'ro	P.O. box 44, Arcadia.
9/ 1/19	Saraoka	Masayo	21	Arika	949 F st., Fresno.
	Kunabara	Takino	23	Shokichi	P.O. box 165, Walnut Grove.
7/29/19	Fujii	Chisuye	18	Tadashi	R.F.D. 1, box 121, Hollister.
	Kohama	Zuki	18	Kiichi	R.F.D. 19, Gridley.
5/30/19	Mizutani	Kaneo	22	Togoro	R.F.D., box 38, Kingsburg.
	Kobayashi	Yao	21	Bumlei	427 M st., Sacramento.
6/10/19	Shibruga	Kazuye	16	Seiziro	P.O. box 2, Centerville.
	Kubota	Sumi	20	Zeiji	6 Empire Tract, Stockton.
	Kawamoto	Miyoko	18	Bumchi	R.F.D. 1, box 440, Los Angeles.
8/ 3/19	Takayanagi	Hide	22	Tokutaro	828 Pine st., San Francisco.
9/18/19	Hayashi	Shima	20	Seiichi	P.O. box 168, Mountain View.
	Nohiko	Machi	29	Heigoro	R.F.D., box 215, Huntington Beach.
11/24/19	Kuroda	Mitsu	.....	Y.	Suisun.
7/21/19	Nishimura	Mikino	23	Chiniehi	1410 Twenty-first st., Bakersfield.
	Mine	Tsune	36	Shizukuna	R.F.D. 1, box 22, Los Angeles.
	Matsuura	Tokigo	20	Naoichi	R.F.D. 7, box 37, Los Angeles.
	Harada	Ryuu	32	Tasaburo	892 Tenth st., Oakland.
	Kuramoto	Karu	26	Zedataro	P.O. box 56, East San Pedro.
	Tanaka	Kikuno	30	Yochichino	P.O. box 72, Alvarado.
5/16/19	Matsumoto	Mitsu	20	Masaki	829 S. Grand av., Los Angeles.

PICTURE BRIDES ARRIVING JULY 23, 1919—"TENYO MARU."

	Ito	Tome	19	Chojiro	Long Beach.
5/21/19	Kino	Zuki	25	Markichi	628 S. Ohio st., Los Angeles.
	Amano	Zoshiye	32	Suyematsu	Care Ken, Amano, Wanto Co., Oakland.
	Iwasaki	Kikuye	29	Toyoharu	806 Harrison st., Oakland.
	Fujino	Zumi	29	Susekichi	Auburn.
	Uyeda	Kameyo	21	Hichito	R.F.D., box 901, Los Angeles.
	Nishigori	Kano	21	Matahichi	2117 Haste st., Berkeley.
	Toyofuku	Tori	29	Y.	1406 Fourth st., Sacramento.
7/21/19	Miyake	Nobuye	21	M.	P.O. box 11, Los Altos.
	Mitoma	Ai	30	I.	Clarksburg.
	Aoyagi	Mitsugo	24	K.	Dinuba and Clarksburg.
4/29/19 ?	Nagao	Chisu	25		Sacramento.
7/15/19	Yamagami	Tomoki	25	U.	Salinas.
5/18/19	Shiraki	Toyo	19	S.	Mountainville.
	Ota	Kuni	28	M.	1004 Geary st., San Francisco.
5/ 3/19	Nishimura	Wasa	29	K.	1126 Third st., Sacramento.
	Ogawa	Yuki	23	Tadaki	622 Wall st., Los Angeles.
	Takashimada	Takei			
	Minamide	Koma	17	Yasutaro	Palms, P.O. box 48, Vacaville.
	Kushi	Kunoge	20	Seitaro	539 Eighth st., San Diego.
	Kawauchi	Iwaye	20	Kojiro	Care Aki Co., Santa Monica.
5/26/19	Kaneno	Masaye	24	Nobutaro	P.O. box 90, Folsom.
	Nakaya	Yoshiye	24	Jinso	1734 Baker st., San Francisco.
5/14/19	Higashi	Ayano	22	Kurasuke	P.O. box 96, Isleton.
	Tsuruoka	Yaeno	19	Teiichi	921 China alley, Malaga, Fresno.
	Nyeno	Tome	21	Saichi	15:9 Cahuenga av., Hollywood.
8/12/19	Nishimura	Tome	26	Keijiroo	213 L st., Sacramento.
5/12/19	Hasigawa	Shinobu	20	Uichi	R.F.D. 2, box 41, Los Angeles.
	Nobura	Misawo			
5/17/19	Kata	Kitsu	20	Zoshitaka	P.O. box 222, Stockton.
6/ 7/19	Fujimosa	Chigo	23	Gonetaro	Brawley.
	Uyeno	Zone	21	Jiro	234 Fourth st., Hollister.

PICTURE BRIDES ARRIVING AUGUST 12, 1919—"SHINYO MARU."

Births	Surname	Wife	Age	Husband	Address in California
	Hieda	Tome	21	Kwanfei	P.O. box 215, Kingsburg.
	Iida	Nasaye			
	Kida	Michiye	19	Kiyoji	P.O. box 43, Wendover.
10/30/19	Akiyama	Tetsu	22	Gojiro	110 N. San Pedro st., Los Angeles.
6/27/19	Kasahaya	Shimaye	18	Hama	R.F.D. 2, box 275, Long Beach.
4/12/19	Hayashi	Yayoshi			
	Doi	Iku	27	Kurakichi	147 Tulare st., Fresno.
10/23/19	Iwamoto	Taka	25	Geunosuke	P.O. box 300, Sanger.
	Kono	Toyo	25	Kunikichi	R.F.D. 1, box 458, Pasadena.
	Nakamura	Kame	30	Genkichi	P.O. box 564, Brawley.
6/22/19	Onoda	Toki	32	Takejiro	140 Main st., Watsonville.
	Hiramo	Hisaoo	20	Sentaro	Holland, Contra Costa County.
	Tanaka	Nasa	24	Makekichi	1421 California st., San Francisco.
7/29/19	Chiba	Ifuru	29	Rugusuke	Venice.
6/26/19	Nakahama	Miki	24	Komasuke	Pond, via McFarland, Kern County.
	Kuwada	Natsu	30	Wahichi	227 Jackson st., San Jose.
7/14/19	Kashiki	Taka	18	Umekichi	P.O. box 65, Imperial.
	Tsuida	Nanige	20	Motosuke	P.O. box 944, San Pedro.
	Matoba	Chitose	21	Fosoichi	R.F.D. 1, box 346, Los Angeles.
8/24/19	Iwaoka	Yei	22	Kamekichi	No. 14, O. K. Co., Santa Monica.
	Idemoto	Tamano	20	Zenichi	R.F.D., box 9, Saratoga.
	Onishi	Shimogo	18	Shoji	Heber.
	Amano	Murne	26	Yoshiwo	1842 Fillmore st., San Francisco.
	Hirukawa	Ise	30	Yonekichi	2984 Washington st., San Francisco.

PICTURE BRIDES ARRIVING SEPTEMBER 15, 1919—"KOREA MARU."

	Fujimoto	Haru	41	Ichisaburo	Hood.
	Kaga	Kikuno	28	Shimekichi	Los Angeles.
8/13/19	Mizukami	Haruno	26	Hikosabro	Los Angeles.
	Bano	Tsune	30	Yoshito	228 M st., Sacramento.
	Yamanaka	Fusa	18	Kijiro	Box 91, Isleton.
10/ 1/19	Hamada	Shidzuye	22	Sadaichi	232 America ave., Long Beach.
	Nakata	Kaye	19	Heichi	R.F.D. 14, box 662, Los Angeles.
	Kubo	Kiyome	18	Shigeichi	R.F.D. 98, Newcastle.
	Tatsumoto	Hana	19	Kaichi	2005 Telegraph ave., Berkeley.
	Nowawa	Mura	20	Yoshitaro	R.F.D. 1, box 230, Brawley.
8/25/19	Hirayama	Kiku	19	Goro	San Lorenzo.
	Yamaguchi	Katsu	21	Iwozo	465 Turner st., Los Angeles.
	Sato	Kesa	22	Shutaro	Santa Paula.
	Murakami	Tamaroo	19	Seiichi	P.O. box 106, Los Angeles.
	Yagasaki	Tsuta	23	Yosaku	317 E. First st., Los Angeles.
11/12/20	Hattori	Tsugi	21	Seizabuo	Knightsen.
	Kikuchi	Shige	25	Sun'chiro	P.O. box 69, Guadalupe.
	Tsuji	Takiye	22	Yoshitaro	Box 221, Vacaville.
	Yoshida	Teru	23	Hisashi	26 Sausol st., Salinas.

PICTURE BRIDES ARRIVING SEPTEMBER 28, 1919—"SIBERIA MARU."

7/14/19	Yamashita	Mitsue	----	Hichitaro	Alameda.
8/ 9/19	Sugino	Ryoye	----	Masami	R.F.D. 1, box 212, Redondo Beach.
10/22/19	Yamamoto	Yukiye	----	Yuji	1819 Kern st., Fresno.
	Sakai	Yone	----	Mitsujiro	3787 Budlong ave., Los Angeles.
	Ishida	Mikiye	----	Yasuyuki	2801 W. Seventh st., Los Angeles.
10/12/19	Karamatsu	Nobu	----	Waichi	R.F.D. 4, box 13b, Sebastopol.
	Toshiro	Tsuki	----	Yetoro	905 G st., Fresno.
	Miyagasuku	Yuki	----	Gensei	P.O. box 108, Baldwin Park.
	Hamamoto	Yayo	----	Yoshimatsu	P.O. box 64, E. San Pedro.
7/ 5/19	Tsujimoto	Yasu	----	Sadakichi	R.F.D., 3 John st., Riverside.
	Honda	Tsuru	----	Asajiro	165 Pilot Butte ave., Rock Spring.
	Yano	Fujiyo	----	Sugimatyu	19 N. Olive st., Alhambra.
	Nakoji	Otsuma	----	Tsuneichi	R.F.D. 1, box 29a, El Cajon.
	Yamaguchi	Rei	----	Ruichi	Stockton.
	Okimoto	Hide	----	Riuji	Jackson st., Los Angeles.
7/ 4/19	Mikame	Fuku	----	Jinso	P.O. box 25, Mt. Eden.
	Kohori	Kane	----	Saso	R.F.D. 2, box 52, Los Angeles.
	Yamada	Yei	----	Fukakichi	Los Angeles.
	Kato	Hatsu	----	Yuzo	Sacramento.
	Shimosawa	Tei	----	Tomekichi	P.O. box 123, East San Pedro.

PICTURE BRIDES ARRIVING OCTOBER 7, 1919—"TENYO MARU."

Births	Surname	Wife	Age	Husband	Address in California
	Fujita	Yoshi	18	Sukenobu	2409 California st., San Francisco.
9/12/19	Matsuoka	Sugue	20	Motoki	Roseville.
	Hoshimoto	Chie	20	————	Seattle, Wash.
	Uchimiya	Ren	23	Yeusuke	El Centro.
	Yakor	Tsuma	20	Kaijiro	P.O. box 14, Stockton.
9/ 8/19	Akaboshi	Teru	22	Yenkichi	Battery st., San Francisco.
12/ 3/19	Sonoda	Wai	25	Togara	San Luis Obispo.
	Fujimoto	Miju	22	Matabei	Freeport.
	Moruchi	Hisano	21	Heigoro	San Jose.
7/29/19	Otsube	Koto	21	Shotaro	Stockton.
9/21/19	Matsuo	Naka	29	Tsurukichi	Oxnard.
	Misusaki	Konami	26	Hachiro	Pismo.
	Shiraishi	Kikuno	24	Shobei	Rockford.
12/10/19	Hiramatsu	Masuno	21	Minetaro	144 Hiweth st., Los Angeles.
	Koshimidzu	Teru	31	Seisuke	706 E. First st., Los Angeles.
7/ 8/19	Yumori	Shiko	28	Kaitsuro	P.O. box 120, Heber.
	Minami	Shigeno	30	Tsurumatsu	San Francisco.
	Namba	Hatsuno	22	Harujiro	1019 Stockton st., San Francisco.
	Nishimi	Ren	18	Mesuchi	108 Irilmongton st., Los Angeles.
	Ochiai	Toku	25	Sototo	40 E. Lafayette st., Stockton.
	Akiyama	Kase	22	Kuichiro	P.O. box 1010, Los Angeles.
8/ 7/19	Hirata	Chiyo	19	Kenyo	P.O. box 306, Garden Grove.
9/ 4/19	Deguchi	Umeo	29	Kosakuo	R.F.D. 1, box 75, Vacaville.
	Kobayashi	Ishiko	30	Yenichi	P.O. box 106, Clovis.
9/26/19	Doi	Yayeno	21	Hideichi	921 Alley st., Fresno.
	Oka	Waki	26	Hayakichi	R.F.D., box 206, Penryn.
11/ 4/19	Nakagawa	Chiea	23	Uichi	7 D st., Sonoma.
10/18/19	Shoda	Fusa	19	Saichi	Los Angeles.
	Fujioka	Komito	20	Yushiro	Isleton.
	Tamekazo	Tami	41	Shinkichi	641 San Fernando st., Los Angeles.
	Iketani	Tomeno	41	Kichitaro	P.O. box 149, Burbank.

PICTURE BRIDES ARRIVING DECEMBER 3, 1918—"KOREA MARU."

	Fukumoto	Shidzuno	18	Choichi	R.F.D. A, box 449, San Jose.
	Suyehiro	Takeno	21	Tarawo	Los Angeles.
	Ito	Tami	21	Taigoro	129 S. El Dorado st., Stockton.
	Ito	Tomino	26	Chiukichi	R.F.D., Walnut Grove.
	Sasamoto	Haru	23	Shinjo	1625 Third st., Freeport.
	Shinzjo	Kise	26	Minekichi	R.F.D. A, box 146, Sanger.
12/ 6/19	Okada	Kuni	21	Seusuke	2232 Hite st., Los Angeles.
	Yoshida	Suchiye	19	Bunyo	P.O. box 66, Aroma.
	Tanamachi	Katsue	21	Toryo	R.F.D. 1, box 272, Long Beach.
9/26/19	Yamashita	Atoku	24	Kusuichi	East San Pedro.
10/20/19	Suzuki	Yoshi	23	Daijiro	222 White Point, Los Angeles.
	Sakaki	Kochiyo	26	Genshiro	R.F.D. 34, San Leandro.
	Morishima	Tsuru	25	Hikoyo	P.O. Box 222, Sanger.
	Kojima	Sei	30	Mataki	R.F.D., box 66, Garden Grove.
	Maemura	Mei	34	Hirobe	221 El Dorado st., Stockton.
	Hashimoto	Same	18	Atsushi	5350 College ave., Oakland.
	Shimotsu	Toyo	24	Tukutoro	1411 Fourth st., Sacramento.
	Nakata	Ichi	22	Tusachichi	Alvarado.
	Mayegoto	Kieu	23	Gobei	R.F.D., box 82, San Mateo.
	Matsuta	Tsuki	25	Kosuke	24 S. Center st., Stockton.
	Yamasaki	Katsuya	42	Yoshitoro	P.O. box 41, Nicolaus.
	Shioji	Sadano	27	Isabei	P.O. box 57, East San Pedro.
9/21/19	Ito	Rika	20	Shoji	201 Commerce st., Stockton.
	Tamaki	Hanaye	25	Genjiro	411 York st., Vallejo.
6/19/19	Miura	Tami	25	Olosayemon	R.F.D. 5, box 756, Los Angeles.
	Uchimura	Yukino	19	Kanesuke	P.O. box 113, Ventura.
10/21/19	Okabayashi	Yoshimi	20	Minoru	P.O. box 206, Laguna.
10/ 1/19	Shima	Yoshiko	21	Tamari	R.F.D., box 70, El Centro.
	Hasegawa	Uno	31	Wakamotsu	R.F.D., box 191, El Monte.
	Oto	Harumi	18	Kenruko	P.O. box 488, Brawley.
	Inaba	Kiku	19	Heisaku	Wilmington.
10/22/19	Miyamura	Shigei	20	Tsutoro	2222 Dwight way, Berkeley.
	Okamoto	Takeshi	27	Gengoro	P.O. box 81, Elmira.
	Taniguchi	Kiku	22	Tyo	Belmont Hotel, Belmont.
	Fukano	Masuyo	20	Tetsunosuke	Lemoore.
	Kato	Kime	26	Jiro	245½ E. First st., Los Angeles.

PICTURE BRIDES ARRIVING DECEMBER 13, 1918—"SIBERIA MARU."

Births	Surname	Wife	Age	Husband	Address in California
	Tada	Satsuki	----	Shosaku	Summer Land.
	Dotte	Chitose	----	Kinsaburo	1124 Third st., Sacramento.
	Yamani	Miyono	----	Shuntaro	239 W. Verdugo rd., Glendale.
	Kawamoto	Asaye	----	Iwamatsu	1238 Third st., Sacramento.
	Fujita	Sasayo	----	Jinjiro	709 Oak ave., Sacramento.
	Uyenaka	Shidzuye	----	Taketo	P.O. box 21, Mt. Eden.
	Fujimura	Yetsu	----	Kichisaburo	Stockton.
10/ 9/19	Fukumori	Tami	----	Nobuishi	P.O. box 174, Lemon Grove.
	Nakane	Moto	----	Junichi	2721 Central ave., Los Angeles.
	Arakawa	Kame	----	Kamato	R.F.D. 1, box 7, Brawley.
	Matsumoto	Kusuno	----	Masajiro	219 First st., Sacramento.
	Noboritate	Hatsue	----	Kanetaro	P.O. box 505, Newcastle.
	Nogami	Teruyo	----	Rijohei	R.F.D. 1, box 236, Gardena.
	Takasugi	Tono	----	Wakamatsu	R.F.D. 2, box 44a, Ventura.
	Morita	Ogee	----	Muratora	Sacramento.
	Ogawa	Miye	----	Yeiichi	1739 Buchanan st., San Francisco.
	Hosoosawa	Shizuka	----	Ryoichi	Riverside.
	Nanami	Tsune	----	Ichitara	Santa Barbara.
	Ueda	Tamaye	----	Kuichi	309 M st., Sacramento.

PICTURE BRIDES ARRIVING DECEMBER 26, 1918—"SHINYO MARU."

12/19/19	Tanabe	Chiyone	20	Yusaburo	Stockton.
	Uyeno	Hatsuyo	29	Soichi	Visalia.
	Sumki	Aino	22	Chikoshi	Santa Barbara.
	Takeda	Shidyake	21	Kumoyo	R.F.D., Elk Grove.
	Sato	Mitsu	26	Rensuke	23 Branan st., Watsonville.
	Obayashi	Oteye	20	Ryuemon	R.F.D. 2, box 8b, Stockton.
1/27/20	Sakai	Sayo	22	M.	Courtland.
	Zenie	Yoshi	27	J.	Colusa.
	Ura	Hana	29	S.	King City, Monterey County.
	Fukumoto	Asaye	33	Jotaro	P.O. box 408, Martinez.
	Nakatani	Fude	41	Tokujiro	R.F.D. 2, box 209, Whittier.
	Ishida	Tsui	32	Goichi	R.F.D. A, box 221, Parlier.
	Gekyo	Kamei	22	Takamoto	122 W. Washington st., Stockton.
10/ 3/19	Takechi	Yuki	21	Kumakichi	P.O. box 5, Mt. Eden.
	Sarw	Shizu	20	Shuzo	Oakland.
	Shimada	Kiku	19	Seiichi	P.O. box 5, Grafton.
	Shiu	Sono	21	Y.	Lafayette.
	Ogata	Fusano	17	K.	Long Beach.
	Abe	Kiku	23	G.	Oakland.
	Nishihara	Kohite	28	S.	Watsonville.
	Nakamura	Same	[illegible]	T.	Sacramento.
	Nishiyama	Matsu	23	S.	San Gabriel.
10/28/19	Tsuru	Yoshi	30	B.	Sacramento.
10/21/19	Matsunaga	Itsuyo	21	Genichi	101 Wilmington st., Los Angeles.
	Nakamura	Chiyono	19	Oriehi	1011 Bush st., San Francisco.
10/25/19	Inouye	Kimiko	20	Zansocko	709 Oak ave., Sacramento.
9/27/19	Ogawa	Yoshi	23	Shutsuichi	R.F.D. C, box 488, Fresno.
	Akaki	Mitsuye	19	Shigeo	2225 Lemenet ave., Alameda.
	Saito	Kinuye	28	Keinseo	608½ W. 6th st., Los Angeles.
	Okura	Tome	23	Kogiro	200 S. Grant ave., Pasadena.
11/12/19	Ota	Shigeko	18	Oochiro	1585 San Pablo ave., Oakland.
	Matsushina	Kayo	18	Yusliko	Stockton.
	Manji	Chise	24	Yoshiso	R.F.D., Marysville.
	Honda	Sato	26	Hishakusu	P.O. box 26, Heber.
	Kishima	Sawaye	27	Shunichi	R.F.D. 1, box 89, Los Angeles.
12/27/19	Matsumoto	Fukuye	19	Shitaro	P.O. box 427, Sebastopol.
10/29/19	Oki	Kiye	23	Hide	322 M st., Sacramento.
11/ 3/19	Tamura	Katsu	25	Rikitsuki	947 Cole st., San Francisco.
	Kuroyama	Riu	22	Yentaro	Bakersfield.
	Matsuo	Hisano	24	Terunosuke	660 Samico st., Oxnard.
	Ishii	Chiye	22	Rotsuyo	R.F.D. 1, box 294d, Long Beach.
	Takeshita	Masayo	25	Yutaka	Berkeley.

Section IX.

GENTLEMEN'S AGREEMENT.

GENTLEMEN'S AGREEMENT.

In this section:

(1) Short history of developments leading up to adoption of Gentlemen's Agreement.

(2) Effect of Gentlemen's Agreement on immigration direct to continental United States.

(3) Exclusive power given Japan under Gentlemen's Agreement to determine who is eligible to a passport to the United States.

(4) Ineffectiveness of Gentlemen's Agreement.

(5) Occupations followed by Japanese residing in California according to Yamato Ichihashi's "Japanese Immigration," and according to special census 1919 by Japanese Association of America.

(6) Copy of Rules 11 and 21 of Immigration Department covering the operation of the Gentlemen's Agreement.

(7) Apparent failure of United States immigration authorities to enforce strictly the Gentlemen's Agreement.

(8) Japanese immigrants admitted, by years, from 1909 to 1919.

(9) Japanese laborers admitted without proper passports and those admitted with passports who were not entitled to them.

(10) Circumstances reported by United States immigration authorities for admitting these Japanese laborers without proper passports.

GENTLEMEN'S AGREEMENT.

In recent years it has been quite common practice in America to blame Japanese for the existence of the so-called Gentlemen's Agreement, and for many violations of it. This appears hardly fair or just. Perhaps Japan availed herself of the opportunities afforded by the Gentlemen's Agreement. The real ground for complaint would seem to rest rather in what appears to have been a collapse of American diplomacy in consenting to the adoption of the Gentlemen's Agreement, and in the subsequent failure of the United States immigration officials to make full use of even the few safeguards that did exist under the Gentlemen's Agreement.

Cause of Ineffectiveness in Restricting Immigration.

The real basis for the ineffectiveness of the Gentlemen's Agreement in restricting Japanese immigrant labor lies in the fact that when the Gentlemen's Agreement was adopted, the United States surrendered to Japan her soverign right to determine in each case what immigrants should be admitted to continental United States and what immigrants should be rejected. Under the Gentlemen's Agreement this determination rests entirely with Japan. When the Japanese authorities issue a passport in due form to a Japanese emigrating to the United States, whether laborer or non-laborer, the United States is bound to accept the immigrant as falling within the classification determined by the Japanese authorities (subject, of course, to the general immigration rules affecting all immigrants as to health, moral character and pauperism.) The burden of proof is not upon the alien to show that he is admissible but is upon the United States to show that he is not admissible. This state of affairs is well explained by the United States Commissioner-General of Immigration, report of June 30, 1919, page 290, in which he has stated this very clearly in the following language:

Misplacement of Burden of Proof.

> While none of the laws on immigration heretofore passed (except the Chinese exclusion laws) have contained any positive expression upon the subject of burden of proof, those laws have been so framed, and the customs and practices that have grown up and been established in connection with their enforcement have been of such a character, that the government has been placed in the disadvantageous position of having to prove in every instance that an alien is inadmissible, rather than being able to demand that the alien should prove that he was admissible. In other words, we have been in a position (exemplified so aptly by the famous Castro case), where an alien could knock at our doors and upon being asked who and what he was, could give his name and then refuse to answer any questions the purpose of which was to divulge his character and antecedents, and yet could demand admission upon the ground that we had failed to show that he was within one of the classes enumerated in the law as inadmissible.
>
> Obviously this situation is deplorable. A nation, no more than a man, should be placed in a position where an outsider can demand the opening of the door without giving a full account of himself and showing that he is a fit person to enjoy the hospitality that he seeks. Another object of the proposed bill is to remedy this situation. This is done by stating in so many words that the burden of proof is upon the alien applicant. (Bill mentioned above was pending before Congress.)

Developments Leading to Adoption of Gentlemen's Agreement.

Following is given a short history of the developments leading up to the adoption of the Gentlemen's Agreement between the United States and Japan, and showing the subsequent working of the Gentlemen's Agreement. Thereafter, on following pages, appear figures taken from United States immigration report showing:

(1) Japanese *immigrants* admitted, by years, from 1909 to 1919.

(2) Japanese *laborers* admitted *without proper passports* and those admitted with passports who were not entitled to them.

(3) A tabulation of the circumstances relating to non-possession of passports by these Japanese laborers as reported by United States immigration authorities.

Also, totals of Japanese laborers admitted upon passports although declared by United States immigration officers *not entitled* to them.

SHORT HISTORY OF GENTLEMEN'S AGREEMENT.

In the year of 1907 the immigration into this country from Japan, including both laborers and nonlaborers, reached the highest total in the history of immigration from Japan (30,226 of all classes for that year). Representations were made to Congress that Japanese immigrant laborers were securing passports from Japan to insular possessions of the United States, particularly Hawaii, and to the Canal Zone, thereafter coming to continental United States without the necessity of a passport, having come immediately from United States territory. Congress thereafter added to section 1 of the Immigration Act, approved February 20, 1907, a proviso reading as follows:

Restriction on Passports.

"That whenever the President shall be satisfied that passports issued by any foreign government to its citizens to go to any country other than the United States or to any insular possession of the United States or to the Canal Zone are being used for the purpose of enabling the holders to come to the continental territory of the United States to the detriment of labor conditions therein, it is made the duty of the President to refuse to permit such citizens of the country issuing such passports to enter the continental territory of the United States from such country or from such insular possessions or from the Canal Zone."

In the performance of the duty imposed by this proviso, the President of the United States on March 14, 1907, issued an executive order refusing permission to enter the continental territory of the United States to "Japanese or Korean laborers, skilled and unskilled, who have received passports to go to Mexico, Canada or Hawaii, and come therefrom."

The executive order was reissued from time to time and in its present language avoids specific reference to the nationality of the laborers sought to be excluded.

Arrival at "General Understanding."

The executive order of March 14, 1907, "was followed by a general understanding between the government of the United States and Japan, in accordance with which the latter government is continuing its policy of discouraging the migration of its laborers to this country." (Report of the Secretary of Commerce and Labor for the fiscal year ended June 30, 1908.)

Construction in Favor of "Picture Brides."

The Commissioner General of Immigration, in his report for the same year, states that the law and the proclamation had been "supplemented, by a general understanding with Japan, contemplating that the Japanese government shall issue passports to continental United States only to such of its subjects as are nonlaborers or are laborers, who, in coming to the continent, seek to resume a formerly acquired domicile, to join a parent, wife, or children residing therein, or to assume active control of an already possessed interest in a farming enterprise located in this country; so that the three classes of laborers entitled to receive passports became known as 'former residents,' 'parent wives or children of residents,' and 'settled agriculturists' * * * ." (It should be noted that no provision in the law appears for wives residing in Japan joining their husbands in the United States. Nevertheless it is under this agreement that United States immigration officials have been admitting the so-called "picture brides," by arbitrarily interpreting the words *"to join a wife"* to mean *to join a husband,* also.)

Basis of "Gentlemen's Agreement."

This "general understanding" presumably constitutes the basis of what is properly designated by the term "Gentlemen's Agreement" and is but a step in the development of the present mode of procedure.

Japan Given Exclusive Power to Determine Who Entitled to Passport.

The result of the diplomatic negotiations between the United States and Japan, which culminated in the Gentlemen's Agreement, was to stop the entrance of Japanese immigrant laborers to continental United States who succeeded in reaching the United States by means of passports to the Hawaiian Islands, the Philippines, Canal Zone or other localities under the jurisdiction of the United States. At the same time however, it opens the direct route from Japan to the United States wide open, by giving to Japan the exclusive power of determining who is eligible to a passport. It appears altogether possible under the present policy for a Japanese in his home country to apply for a passport to the United States stating that he is a farmer, not a laborer, and thus secure a proper passport. As a matter of fact he may be a farmer in his own country cultivating an area probably not to exceed the size of an ordinary city lot in America. His passport is not vised nor examined by United States consul in Japan, but is passed upon the sole authority of the Japanese government. Arriving in America this so-called farmer of Japan may have neither the funds nor the experience to engage as a farmer here, but becomes at once a farm laborer. This same illustration would apply in any calling. In fact the occupation declared in Japan when securing the passport is no indication whatever of the occupation that will be followed in the United States. In keeping with this thought there is quoted, on the following page, statistical information and a discussion of the same from Yamato Ichihashi's "Immigration," page 21, issued in 1915, in which he shows the economic status or the different occupations of Japanese residents of California at that time. Mr. Ichihashi herein shows how frequently and rapidly Japanese here change from one occupation to another. It will also be noted from his list of occupations that out of an estimated population of 55,000 including women and children, 20,000 are listed as farm hands. How do these laborers get here?

ECONOMIC STATUS OF JAPANESE IN CALIFORNIA.

From YAMATO ICHIHASHI'S "JAPANESE IMMIGRATION," page 21 (1915).

"Below is given an estimated occupational distribution of Japanese in California:

Occupation	Number
Officials, teachers, clergy	120
Students	1,000
Farmers	4,500
Farm hands	20,000
Merchants	4,000
Hired by merchants	6,000
Domestic servants	5,000
Railway employees	1,500
Factories and canneries	500
Salt field hands	300
Others	3,580
No occupation	8,500
Total	55,000

Though perhaps the best obtainable estimate, none of the above figures should be rigidly interpreted for several reasons. The majority of farmers being mostly tenants, share or 'contract,' lack permanent character. Independent farmers of today may become mere farm hands tomorrow and vice versa. The majority of merchants are the keepers of insignificantly small shops. They, too, come and go in quick order. Laborers are mostly unskilled, therefore they shift from one occupation to another, according to seasons, and, indeed, according to their whims and fancies. Clerks may become domestic servants at any moment. Domestic servants may take fancy to farms or to railroads. Farm hands may become gang hands, and vice versa. These, again may work in canneries. They can shift about in these various occupations without any difficulty, because, in the first place, none of the occupations require any high degree of specialized skill, and in the second place, these Japanese are mostly unmarried young men between twenty and forty. A knowledge of English is necessary in certain of the occupations, but that too need not be more than elementary. There are hardly any illiterates among them as far as their own language is concerned. Most young men are graduates of middle schools and have enough education to qualify for any of the occupations enumerated. Those with no occupation are mostly women and children. In other words, the table is set forth simply to give a normalized snapshot picture of the occupational status of the Japanese in California. And the most striking fact about this picture is the narrowness of the field of Japanese activity. Be that as it may, we will examine somewhat in detail the more important of these occupations.

Japanese take to farms like ducks to water. Nearly 50 per cent of Japanese immigrants are engaged in horticultural and agricultural industries, either as farmers or as farm hands, the latter predominating in number. There are doubtless several reasons for this state of affairs. For centuries Japanese have been an agricultural race. Japanese labor immigrants here were almost exclusively drawn from the agricultural classes of Japan."

In further explanation of this same idea there follows a tabulation showing occupations of Japanese residing in California during 1919, which is taken from the special census furnished to the Board of Control by the Japanese Association of America. (Both of the tabulations of occupations by Japanese in California show the very large percentage of Japanese that are engaged in agricultural pursuits. This may be the reason why opposition to Japanese seems to be aimed principally at the Japanese engaged in agricultural lines.)

OCCUPATIONS OF JAPANESE IN CALIFORNIA.

Furnished by Japanese Association of America (Census Taken for 1919).

Southern California.	
Professional	347
Merchants	1,497
Farmers	3,199
Nursery	280
Dairy	61
Fishery	543
Miscellaneous	1,128
Clerks	713
Farm laborers	3,639
Fishermen	724
Other workmen—	
Indoor	1,065
Outdoor	1,432
In and outdoor	991
Students	303
Women	6,507
Children—	
American born	7,139
Japanese born	900
	30,528

Northern California.	
Commercial—	
Employers	3,307
Employees	793
Domestic labor	1,022
Agricultural—	
Employers	4,696
Employees	10,605
	20,423
Women	9,032
Minors under 17 years	11,092
Others	2,849
	43,396
Subsequent corrections — occupations not stated	4,704
Southern California	30,528
Total	78,628

Herewith are given copies of Immigration Rules Nos. 11 and 21 based upon the executive orders issued in connection with the Gentlemen's Agreement.

Rule 11. Laborers from countries which grant limited passports.

(From "Immigration Laws—Rules of November 15, 1911," published by United States Department of Labor, Bureau of Immigration, March 10, 1913; second edition, pp. 27, 28, 29. Washington, D. C., Government Printing Office.)

Subdivision 1. *President's proclamation.* The President's proclamation on this subject, issued February 24, 1913, reads as follows:

WHEREAS, by the act entitled "An act to regulate the immigration of aliens into the United States," approved February 20, 1907, whenever the President is satisfied that passports issued by any foreign government to its citizens to go to any country other than the United States or to any insular possession of the United States or to the Canal Zone, are being used for the purpose of enabling the holders to come to the continental territory of the United States to the detriment of labor conditions therein, it is made the duty of the President to refuse to permit such citizens of the country issuing such passports to enter the continental territory of the United States from such country or from such insular possession or from the Canal Zone; and

WHEREAS, upon sufficient evidence produced before me by the Department of Commerce and Labor, I am satisfied that passports issued by certain foreign governments to their citizens or subjects who are laborers, skilled or unskilled, to proceed to countries or places other than the continental territory of the United States, are being used for the purpose of enabling the holders thereof to come to the continental territory of the United States to the detriment of labor conditions therein:

I hereby order, that such alien laborers, skilled or unskilled, be refused permission to enter the continental territory of the United States.

It is further ordered, that the Secretary of Commerce and Labor be, and he hereby is, directed to take, through the Bureau of Immigration and Naturalization, such measures, and to make and enforce such rules and regulations, as may be necessary to carrying this order into effect.

Subd. 2. *Effect of proclamation.* The proclamation requires that laborers, skilled or unskilled, who are citizens of a country which grants to its laborers proceeding abroad limited labor passports only, and who present at a continental port a passport entitling them only to admission to countries or places other than continental United States, shall be rejected. It does not in any particular relieve such aliens from examination under the general provisions of the law.

Subd. 3. *Rejection or admission as affected by passport.* If such a laborer applies for admission and presents no passport, it shall be presumed (1) that he did not possess when he departed from his own country a passport entitling him to come to the continental territory of the United States, and (2) that he did possess at that time a passport limited to some country or place other than continental United States.

If he presents a passport entitling him to enter continental United States or not limited to some country or place other than continental United States, he shall be admitted, unless he belongs to one of the classes excluded by the general provisions of the law. If he presents such a limited passport, but claims that he is not a laborer, skilled or unskilled, proof of such claim shall be required.

Subd. 4. *Right of appeal, etc.* All laborers excluded under this rule shall be advised not only of their right of appeal where one lies, but also that they may communicate by telegraph or otherwise with any diplomatic or consular officer of their government, and they shall be afforded opportunity for doing so.

Subd. 5. *Definition of term "laborer."* For practical administrative purposes, the term "laborer, skilled and unskilled," within the meaning of the executive order of February 24, 1913, shall be taken to refer primarily to persons whose work is essentially physical, or, at least, manual, as farm laborers, street laborers, factory hands, contractors' men, stablemen, freight handlers, stevedores, miners, and the like; and to persons whose work is less physical, but still manual, and who may be highly skilled as carpenters, stonemasons, tile setters, painters, blacksmiths, mechanics, tailors, printers, and the like; but shall not be taken to refer to persons whose work is neither distinctively manual nor mechanical, but rather professional, artistic, mercantile, or clerical, as pharmacists, draftsmen, photographers, designers, salesmen, bookkeepers, stenographers, copyists, and the like.

Subd. 6. *Passports to be indorsed.* Passports presented by aliens covered by this rule shall be plainly indorsed, in indelible ink, by the officer admitting or rejecting the applicant, in such a manner as to show the fact and date of admission or rejection. The officer shall sign such indorsement, and the passport shall be returned to the presenter.

Subd. 7. *Bonds for seamen.* No laborer covered by this rule taken on board a vessel at any foreign port as a seaman and discharged or granted shore leave at a mainland port of the United States shall be permitted to land in such port otherwise than under a bond in the penalty of $500, conditioned for departure from the mainland of the United States within thirty days, unless such laborer has a passport not limited to a country or place other than continental United States.

Rule 21. Japanese and Korean laborers.

(From "Immigration Laws and Regulations of July 1, 1907," published by United States Department of Commerce and Labor, Bureau of Immigration and Naturalization, February 1, 1911; twelfth edition, pp. 41, 42, 43. Washington, D. C., Government Printing Office.)

(*a*) Aliens from Japan and Korea are subject to the general immigration laws.

(*b*) Every Japanese or Korean laborer, skilled or unskilled, applying for admission at a seaport or at a land-border port of the United States, and having in his possession a passport issued by the government of Japan, entitling him to proceed only to Mexico, Canada, or Hawaii, shall be refused admission.

(*c*) If a Japanese or Korean laborer applies for admission and presents no passport, it shall be presumed (1) that he did not possess when he departed from Japan or Korea a passport entitling him to come to the United States, and (2) that he did possess at that time a passport limited to Mexico, Canada or Hawaii.

(*d*) If a Japanese or Korean alien applies for admission and presents a passport entitling him to enter the United States or one which is not limited to Mexico, Canada, or Hawaii, he shall be admitted, if it appears that he does not belong to any of the classes of aliens excluded by the general immigration laws.

(*e*) If a Japanese or Korean alien applies for admission and presents a passport limited to Mexico, Canada, or Hawaii, and claims that he is not a laborer, either skilled or unskilled, reasonable proof of this claim shall be required in order to permit him to enter the United States.

(*f*) When a Japanese or Korean alien is rejected as being a skilled or unskilled laborer holding a passport limited to Mexico, Canada, or Hawaii, he shall be allowed the right of appeal to the Secretary of Commerce and Labor under the same conditions as attach to aliens rejected under the general immigration laws.

(*g*) If a Japanese or Korean skilled or unskilled laborer is found in the continental territory of the United States without having been duly admitted, upon inspection, the procedure employed under the general immigration laws for the arrest and hearing of aliens who have entered the United States surreptitiously shall be observed, to the end that the right of such alien to be and remain in the United States may be determined; and if it shall appear that such alien falls within the class excluded by the foregoing executive order, and has entered the United States since the fourteenth of March, 1907, the said alien shall be deported according to the provisions of sections 20, 21, and 35 of the act of Congress approved February 20, 1907.

(*h*) In case any Japanese or Korean is detained or denied admission by virtue of the foregoing executive order, he shall, in addition to being informed of his right of appeal to the Secretary of Commerce and Labor, be advised that he may communicate by telegraph or otherwise with any diplomatic or consular officer of his government, and shall be afforded opportunities for so doing.

(*i*) The officials of the department charged with the enforcement of the immigration laws are instructed that in the execution of this rule scrupulous care shall be taken to see that the courtesy and consideration which the department requires in the case of all foreigners, of whatever nationality, are shown to those affected by this rule. All officers of this department are hereby warned that no discrimination will be tolerated, and that those coming under this rule must be shown every courtesy and consideration to which the citizens of most favored nations are entitled when they come to the United States.

(*j*) For practical, administrative purposes, the term "laborer, skilled and unskilled," within the meaning of the executive order of March 14, 1907, shall be taken to refer primarily to persons whose work is essentially physical, or at least, manual, as farm laborers, street laborers, factory hands, contractors' men, stable men, freight handlers, stevedores, miners and the like; and to persons whose work is less physical, but still manual, and who may be highly skilled, as carpenters, stonemasons, tile setters, painters, blacksmiths, mechanics, tailors, printers, and the like; but shall not be taken to refer to persons whose work is neither distinctively manual nor mechanical, but rather professional, artistic, mercantile, or clerical, as pharmacists, draftsmen, photographers, designers, salesmen, bookkeepers, stenographers, copyists, and the like. The foregoing definition is subject to change, and will not preclude the Secretary of Commerce and Labor from deciding each individual case which comes to him by way of appeal in accordance with the particular facts and circumstances thereof.

(*k*) Passports presented by Japanese and Koreans shall be plainly endorsed, in indelible ink, by the officer admitting or rejecting the applicant, in such manner as to show the fact and date of admission or rejection, the name of the officer being signed to such endorsement; after which the passport shall be returned to the person by whom presented.

Are Immigration Laws Properly Enforced?

To a layman unacquainted with immigration practice it would appear as though the United States immigration authorities are not enforcing, with proper care, the immigration laws as to Japanese even under the slight restrictions afforded by the Gentlemen's Agreement.

In this connection there is given herewith:

(1) The list of Japanese *immigrants* admitted, by years, from 1909 to 1919.

(2) Japanese *laborers* admitted *without proper passports* and those admitted with passports who were *not entitled to them.*

(3) A tabulation of the circumstances relating to nonpossession of passports by these Japanese laborers as reported by United States immigration authorities.

Also, totals of Japanese laborers admitted upon passports although declared by United States immigration officers *not entitled* to them.

Excess of Immigrant Japanese Aliens Admitted to United States Over Emigrant Japanese Aliens Departed, July 1, 1909, to June 30, 1919.

Year ended June 30—	Total United States	Outside of continental United States	Continental United States	State of California		All other states
				Number	Per cent	
1910	*1,579	*393	*1,186	*1,109	*93.5	*77
1911	1,224	972	252	45	17.9	207
1912	4,671	2,295	2,376	1,568	66.0	808
1913	7,569	3,846	3,723	2,390	64.2	1,333
1914	8,147	3,605	4,542	3,129	68.9	1,413
1915	7,784	2,525	5,259	3,798	72.2	1,461
1916	7,931	2,739	5,192	3,676	70.8	1,516
1917	8,203	3,094	5,109	3,196	62.6	1,913
1918	8,610	2,607	6,003	3,529	58.8	2,474
1919	7,929	2,210	5,719	3,486	61.0	2,233
Totals	60,489	23,500	36,989	23,706	64.1	13,281

*Figures indicate excess of emigrants over immigrants.

Nearly two-thirds of the excess falls to California. (This means an average of approximately two-thirds of the excess of all Japanese immigrants over emigrants coming to the United States came to California during the ten-year period indicated above.)

Japanese Laborers Admitted to Continental United States, 1910 to 1919.

Year	In possession of proper passports				Without proper passports	Total
	Entitled to passports under gentlemen's agreement			Not entitled to passports		
	Former residents	Parents, wives and children of residents	Settled agriculturists			
1909-1910	245	373	1	47	39	705
1910-1911	251	368		88	25	732
1911-1912	602	224		60	27	913
1912-1913	1,175	178		41	13	1,407
1913-1914	1,514	119		84	51	1,768
1914-1915	1,545	585	1	54	29	2,214
1915-1916	1,695	1,190	2	39	78	3,018
1916-1917	1,647	1,115		36	87	2,885
1917-1918	1,774	507		88	235	2,604
1918-1919	1,265	422		48	241	1,976
Totals	11,813	4,990	4	585	825	18,217

Japanese "Laborers" Arriving in Continental United States Without Proper Passports, July 1, 1909, to June 30, 1919.

Circumstances surrounding non-possession of proper passport	1909-10	1910-11	1911-12	1912-13	1913-14	1914-15	1915-16	1916-17	1917-18	1918-19	Total
Passport limited to Hawaii, Canada, or Mexico	47	14	15	25	33	47	50	46	22	39	338
Passport limited to Brazil								1			1
Passport limited to Chili and Argentina									1		1
Passport limited to Peru										1	1
Not rightfully in possession of passport	4	1		2			1				8
Claimed to have lost or left passport held at time of departure from Japan	24	28	31	13	42	20	42	29	34	28	291
Claimed to have had passport at Vancouver, B. C.									1		1
Left Japan without passport	25	20	58	41	59	44	6	17	21	9	300
Passport not genuine			1		1						2
Citizens of Canada					4	21	50	43	6	22	146
Subject of British Guiana									1		1
Seamen without passport			2								2
Born in Mexico										3	3
Held a British passport										1	1
Residents of the United States					1	1		2			4
Servants of residents of the United States					1		1				2
Transients							1	1	4	1	7
Deserting seamen									185	130	315
Stowaways							20	26	9	15	70
Unknown	1		1		12	2	2	6	8	35	67
Total arrivals of laborers without proper passports	101	63	108	81	153	135	173	171	292	284	1,561
Debarred	62	38	81	68	102	106	95	84	57	43	736
Laborers admitted without proper passports	39	25	27	13	51	29	78	87	235	241	825

Japanese "Laborers" Arriving in Continental United States With Proper Passports, July 1, 1909, to June 30, 1919, but Classified as "Not Entitled to Passport."

	1909-10	1910-11	1911-12	1912-13	1913-14	1914-15	1915-16	1916-17	1917-18	1918-19	Total
Arrivals	49	89	62	42	91	57	41	41	90	48	610
Debarred	2	1	2	1	7	3	2	5	2		25
Laborers "not entitled to passport" admitted	47	88	60	41	84	54	39	36	88	48	585

Section X.

SMUGGLING.

SMUGGLING.

In this section:

(1) Methods followed by land and by sea.

(2) Comparative ease of illegal entry from Mexico into California.

(3) Extracts from report of United States Commissioner General dated June 30, 1919, explaining the situation on the Mexican border and probable smuggling and illegal entry.

SMUGGLING AND SURREPTITIOUS ENTRY OF ORIENTALS.

Smuggling across the border, especially the Mexican border, has proven exceedingly difficult for the United States Immigration Service to prevent. The federal immigration patrol upon the Mexican border is entirely inadequate; the California-Mexican frontier is 180 miles in length and the physical character of the country is such that it is possible to cross the border at almost any point; and the big fishing fleet, manned principally by Japanese, with large power boats, which is constantly going back and forth from American waters into Mexican waters, provides exceedingly convenient means of unlawful entry for Japanese in particular. Furthermore, there are many Japanese engaged in agricultural pursuits in the Imperial Valley on both sides of the border, and the Japanese so engaged are passing to and fro across the line constantly. Such conditions render most difficult the checking of those who cross and recross the border. The United States Commissioner General of Immigration, in his report of January 30, 1919, declares that smuggling of Japanese across the Mexican border is carried on successfully and to a large extent, his language being as follows: "Confidential information of unquestionable authenticity shows very conclusively that Japanese smuggling across the Mexican border is carried on successfully, and doubtless to a very large extent. Southern California possesses a peculiar attraction for the Japanese and it seems inevitable that if some effective means are not found to curb further growth the Japanese colonies in that section will expand in time into such proportions as to create a serious problem."

The Commissioner General in this report points out the fact that the Japanese colonies or settlements in southern California, and immediately across the border in Mexico, are so intimately related to the smuggling activities that it is impossible to discuss the one without considering the other. The existence of these colonies makes unlawful entry easy for the Japanese and most difficult for immigration authorities to apprehend.

The experience of the immigration authorities with this subject has been so thorough and so intimate and the subject is so well covered in the report of the United States Commissioner General of Immigration, that the matter can be best presented by quoting further from the Commissioner General's report of June 30, 1919. In this report the Commissioner General has the following to say concerning the Japanese who has successfully entered California and who seeks to aid his fellow countrymen to do the same:

"Once safely across the line, the contrabands find concealment at conveniently located ranches conducted by fellow countrymen, where they work for small wages until a smattering of English and an air of sophistication are acquired, when they proceed further toward their respective ultimate destinations. When any of such contrabands are arrested, the resident Japanese who have given them asylum rush to the defense and, if necessary, do not hesitate to perjure themselves as to the period of residence in the United States of the arrested alien. Vigorous measures and unremitting zeal on the part of immigration officers, resulting in the arrest and deportation of large numbers of contrabands of this class and the prosecution of such of the ringleaders and coconspirators of lesser importance as could be found in the United States, have served, temporarily, at least, to check the influx. The participation in this illegal traffic of domiciled aliens, without whose assistance it could not survive, has been discouraged to a no inconsiderable degree by the prosecution instituted during the past year. It should be understood, however, that the same situation has confronted the district on previous occasions and will again arise if there is any relaxation of vigilance. In order to keep the problem in hand, a sufficient force of alert, resourceful officers must at all times be maintained.

Numerous Japanese fishing boats on the Pacific Coast, operating in Mexican waters, are employed to facilitate the illegal entry of Japanese laborers.

The greater number of Japanese aliens arrested on departmental warrant during the year promptly claimed that they had been in this country in excess of three years, so that the government was unable to charge them with entry without inspection or at a place other than a regular port of entry, although there was ample reason to believe, even where the suspicion was not susceptible of proof, that they had but recently come from Mexico. When it became apparent that the government, nevertheless, intended to proceed in appropriate cases on the charge that the aliens entered and were within the United States in violation of the so-called passport provisions of the immigration act, the defendants promptly set up the defense of residence in excess of five years, that period being the one beyond which deportation proceedings could not prevail. In a few instances, all other subterfuges failing, the arrested contraband set up the claim to ownership of extensive property or business interests. Investigation developed that a majority of such claims were purely fictitious.

It may be added that the Japanese problem as regards illegal entries, is localized, involving as it does that portion of this district within the confines of southern California; it is one, however, that possesses possibilities of a serious nature, easily susceptible of extension to other portions of the district.

The force in southern California, though efficient, is wholly inadequate to handle the situation as it should be handled, and the force in other parts of the district, at all times small in proportion to the area covered, was so greatly reduced at the close of this fiscal year as to make any transfers therefrom to southern California an impossibility without letting down completely all bars to the ingress of undesirables generally over the balance of the border.

With the reduction of this force at the close of June 30, 1919, and the further reductions which, it is understood, are to be made, there will remain practically no officers available for patrol duty during the ensuing fiscal year, and consequently, it is but reasonable to expect that there will be an enormous falling off of arrests. In other words, instead of apprehending some 6000 aliens of all classes and degrees of undesirability, following surreptitious entry, it is only reasonable to assume that approximately that many, during the ensuing year, will cross the frontier with absolute impunity and merge their identity with the alien population of the country.

As most of the Japanese male residents in the southern part of this state, to whom the so-called "brides" are destined, are without passports, but prove by documentary evidence a residence of over three years, it is quite evident that the intent of the "agreement," at least, is being circumvented in such cases.

Another means of evasion, which is believed to be practiced to a large extent, is through the production to officials in Japan of proof of a former residence in this country (notwithstanding the illegality of such residence) entitling the claimant to the desired passport and opening the way for a progressive chain of applicants, as the parents, wives, or children of resident Japanese. Because of the racial antipathy and the nonassimilative character and prolific tendencies of this class, their increasing number on the Pacific Coast is a menace to the peace and prosperity of our citizens, and it is felt that a strict adherance to the spirit of the so-called "gentlemen's agreement" should be required. This, it would seem, can only be attained by requiring—as is done in the case of Chinese residents—that Japanese returning to a former residence in this country, or seeking to bring in their parents, wives, or children, prove a lawful domicile here."

A descriptive map of the Mexican border district occupied by Chinese and Japanese colonies, too large to include in report, is available at any time in the office of the Board of Control.

Section XI.

CITIZENSHIP.

CITIZENSHIP.

In this section:

(1) Status of Hindus in United States.

(2) Status of Chinese, both foreign born and American born.

(3) Status of Japanese in United States both as to foreign born and American born.

(4) Every Japanese, wherever born, is a citizen of Japan, unless expatriated.

(5) Dual citizenship of Japanese.

(6) Once a Japanese, always a Japanese.

(7) Obligation of American-born Japanese to give military service to Japan in event of war.

(8) Statement as to Japanese citizenship in America and in Japan showing the dual allegiance, prepared and submitted by Dr. Chas. E. Martin, Lecturer on International Law, University of California, assisted by Y. S. Kuno, Instructor in Japanese, University of California, and Max E. Baugh, Graduate Student International Law, University of California.

(9) Copy of Japanese law of expatriation, translated by Y. S. Kuno, Instructor in Japanese, University of California.

(10) Sections of Civil Code of Japan relating to citizenship of Japanese, domestic relations in family council in Japan and the subject of guardianship.

(11) Digest of citizenship of aliens prepared by Prof. John Norton Pomeroy of the University of Illinois, who is now making a Digest of Treaties for the State Department at Washington.

CITIZENSHIP.

The low caste Hindus, although subjects of the British Crown, are denied citizenship by practically all the British colonies; in fact, they have been forced to leave Canada, Australia, New Zealand and South Africa. (Special Report of State Bureau of Labor Statistics, January 6, 1919.)

Hindu.

"The Hindu has no morals." (Quoted from Special Report of State Bureau of Labor Statistics, January 6, 1919.) Court records and the files in the offices of district attorney and probation officer in Imperial County show an unusually high record of vicious crimes by Hindus or Sikhs in that county. (Report of State Council of Defense, Imperial County Division, December 4, 1918.)

The low caste Hindus and Sikhs are not eligible to citizenship in the United States, but in a very few cases natives of India of high caste have proven to the satisfaction of the courts their Caucasian blood and have been admitted to citizenship.

According to W. P. Shaughnessy of Shaughnessy and Atherton, attorneys, counsel for the Hindus in California, "Hindus are no longer admitted into the United States nor are those who are here permitted to bring in their wives or children."

One investigator for the State Board of Control states that Hindus, although ineligible to citizenship and therefore not entitled to legal ownership of land under the California alien land act, nevertheless own many parcels of land in California and are purchasing more land.

Chinese.

Chinese are ineligible to citizenship. American-born children of Chinese parents are American citizens and constitute the larger portion of our Chinese population. As a result of the effective Chinese exclusion laws and of the high mortality and low birth rate prevailing among them, this element of our Oriental population is steadily declining in numbers.

The effectiveness of the Chinese exclusion law is largely due to the fact that the United States determines for itself the admissibility of applicants. In the case of the Japanese, on the other hand, the power of determining who is entitled to a passport and, therefore, admissible, has been surrendered to the Japanese government.

Japanese.

As to the citizenship of Japanese, the Civil Code of Japan, volume 3, article 66, reads as follows:

"A child is a Japanese if his or her father is a Japanese at the time of his or her birth."

Once a Japanese, Always a Japanese.

Every Japanese, wherever born, is a citizen of Japan, unless expatriated. Every Japanese in the United States, whether American-born or not, is a citizen of Japan and as such is subject to military duty to Japan from the age of seventeen years until forty years of age, unless expatriated. The American-born Japanese holds dual citizenship: first, allegiance to Japan with compulsory military service; and second, rights of citizenship in America. Under such circumstances, a Japanese, though born in America and thereby acquiring all the rights and privileges of an American citizen, owes his first obligation of allegiance and military service to Japan. It is contended by writers on international law that because our country is cognizant of this dual citizenship with its requirement of compulsory military service to Japan, the United States, in event of war with Japan, could not demand military service from the American-born Japanese but would be obliged to permit them to return to Japan, there to render military service in behalf of Japan. American-born Japanese would appear to be enjoying all the advantages of American citizenship without assuming the most important responsibilities of such citizenship.

Once a Japanese, always a Japanese, unless each individual Japanese renounces allegiance in the manner prescribed by the Civil Code of Japan and his renunciation is accepted by the Japanese government. No matter how many successive generations of American-born Japanese there may be, none of the children born in America are relieved of allegiance to Japan unless the parent has renounced allegiance to Japan *and had his renunciation accepted by the Japanese government.*

The method by which this renunciation of allegiance to Japan may be accomplished is set out in the following quotation from a letter of Dr. Chas. E. Martin, Lecturer on International Law, University of California, dated March 25, 1920:

> "About 1917 or 1918, the Japanese enacted a law of expatriation by which the status of dual nationality on the part of Japanese residing here and claiming citizenship under the fourteenth amendment could be brought to an end. Japanese who are native citizens of the United States may expatriate themselves in two ways:
>
> (1) Before the age of 15 through a legal representative;
>
> (2) Between the ages of 15 and 17 years, but never after the age of 17, unless he has presented himself for military duty.
>
> As compared with the practice of the United States, the Japanese law is limited in its scope. Japan will relinquish her jurisdiction over foreign born Japanese, not through the voluntary act of the individual, but only through the permission of the home government. Many countries hold to the view that expatriation is the voluntary right of the individual. Japan does not recognise this principle. The burden is placed upon foreign born Americans to prove that they have retained their American citizenship, while the burden is placed upon the foreign born Japanese to prove that they have renounced their Japanese citizenship through means provided by, and with the permission of, the Japanese government. In this way, the home government has a rigid military hold on its foreign born citizens."

Herewith a copy of "Declamation of Losing Nationality" provided under Japanese law for renouncing allegiance to Japan, and which was furnished the Board of Control by Japanese Vice Consul Ishii at San Francisco.

DECLAMATION OF LOSING NATIONALITY.

(Address of domicile)
(Name in full)
(The reason why he or she acquired the nationality of other country.)

I hereby report the fact that I have lost the nationality of Japan on account of the above stated reason.
(Born in America sufficient reason)
(Date) (Signature and seal)
(Proof—Birth certificate) (Date of birth)
To the Home Minister.

All Japanese, including those American-born of Japanese parents, are compelled to give military service to Japan at any time that service is required of them by the Japanese government. This is set out fully in a letter by Dr. Martin heretofore referred to and we therefore quote from his letter as follows:

> "If before the age of 17, a Japanese has not expatriated himself from Japan under the Japanese law, the act of expatriation can not be effected until he has satisfied the military requirements. Japanese born in America must conform strictly to the requirements of the law in order to avoid the condition of dual nationality. Should a Japanese, with this status, return to Japan, he would be held for military duty as a Japanese citizen, and his American citizenship would not be recognized. Should he appeal to the American government for exemption because of his American citizenship, it is probable that fruitless diplomatic negotiations would follow.
>
> Should a Japanese return to Japan and establish his residence there, repatriation would follow. Under the Japanese law, a residence of *one day* is sufficient to effect one's repatriation. In the United States, the act of repatriation involves a change of (1) home and (2) allegiance, and more especially of allegiance. Japanese law requires only a change in residence, which is satisfied with the very limited requirement of one day."

Likewise, T. Miyaoka, formerly Counselor of the Japanese Embassy in the United States, expresses himself in similar language as follows:

> "Under the conscription laws of the empire a boy of seventeen is already a soldier in the Japanese army although his time of service under "colors" does not commence until he is twenty. A male Japanese from the age of seventeen is a part of the army until he completes his fortieth year."

While it is possible for American-born Japanese to renounce allegiance to Japan, the Japanese Vice Consul, Ishii, at San Francisco, states that not to exceed a dozen such American-born children have signed the "Declamation of Losing Nationality," provided for that purpose by the Japanese law. So far as could be learned, none of these have been accepted by the Japanese government, in accordance with the provisions of the Civil Code of Japan.

On the following pages are found authorities as follows covering the subject of citizenship as it relates especially to American-born persons of Japanese parentage:

Dr. Chas. E. Martin, Lecturer on International Law, University of California. (See page 184.)

Y. S. Kuno, Instructor in Japanese, University of California. (See page 186.)

Max E. Baugh, Graduate Student, International Law, University of California. (See page 186.)

DeBecker's Civil Code of Japan. (See page 187.)

Dr. John Martin Pomeroy of University of Illinois, Special Representative State Department, United States of America, now making a Digest of Treaties. (See page 190.)

Prof. Wm. Carey Jones, Dean of Law, Faculty of University of California. (See page 190.)

Letter of Dr. Martin.

March 25, 1920.

DEAR DEAN JONES:

Through the kindness of Mr. Kuno, Instructor in Japanese, and Mr. Max C. Baugh, a graduate student in international law and diplomacy, who is writing his master's thesis on "Problems of Japanese Expansion," I have secured a reliable translation of the Japanese law of expatriation.

The doctrine of dual nationality, sometimes called double allegiance, is simplified when we regard it as the logical result of the concurrent operation of two different laws. The most frequent case of it is where a child, due to the sojourn of his parents in a foreign land at the time of his birth, is born a citizen of two countries—a citizen of the country of his birth *jure soli*, and a citizen of his parent's country *jure sanguinis.* The claim of double allegiance would not arise if the country of birth or the country to which the parents belong should choose not to claim allegiance. The conflict is generally avoided by the rule which makes the child liable for the performance of the duties of allegiance under the laws of the country where he actually is.

The claim of double allegiance may be made where one leaves the country of his origin, and becomes a citizen of another country through process of naturalization. In the case of Japanese who have come to the United States, no such claim could be made, for the question does not exist. By the acts of 1802 and 1804, "only free white persons" were capable of naturalization. By the act of 1870, the benefits of the law were extended to "aliens of African nativity and to persons of African descent." The law, as consolidated in the Revised Statutes, thus stands, embracing only "white persons" and persons of African descent. Naturalization has been repeatedly refused to Japanese on the ground that they are not "white" persons. (*In re Saito*, 62 Fed. Rep. 126; *In re Yamashita* (1902), 30 Wash. 234, 70 Pac. Rep. 482.)

With respect to Japanese born in the United States, the case is quite different, and the question of dual nationality is an acute one. By the fourteenth amendment to the Constitution of the United States "all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside." In the case of *In re Look Tin Sing*, 21 Fed. Rep. 905, it was held that a child born in the United States to alien Chinese parents who could not themselves become naturalized, was nevertheless a citizen of the United States. The Supreme Court of the United States, in the case of *United States vs. Wong Kim Ark*, 169 U. S. 649, affirmed the principles laid down in the case of Look Tin Sing, and settled the question as to the children of domiciled aliens.

The citizenship of a Japanese born in the United States and subject to its jurisdiction is determined by (1) the constitution and laws of the United States, and (2) the laws of Japan.

Prior to the promulgation of the recent Japanese law of expatriation, an American born Japanese was a citizen of the United States under the fourteenth amendment to the constitution of the United States (*jure soli*). At the same time he was a citizen of Japan under the Japanese law of nationality (*jure sanguinis*), which says: "A child is a Japanese if his or her father is a Japanese at the time of his or her birth." (Law No. 66, March 16, 1899, Japanese Civil Code, vol. III.) An American born Japanese was, therefore, impressed with a double nationality.

Thus, under Japanese law, the Japanese government gave full effect to claims of allegiance under citizenshp by right of blood. It may be pointed out at this juncture that the United States has followed the same course, with the exception that the rights of citizenship do not descend to persons whose fathers never resided in the United States. (Rev. Stat., Sec. 1993.)

While it appears that the Japanese and American laws with respect to the citizenship of the foreign born are identical, subject to the limitation in the American law indicated above, it does not follow that the legal effects are the same. For a long time the United States held to the common law doctrine of indelible allegiance, which is that the nationality of one's country of origin follows him wherever he goes, and which forbids one to expatriate himself at will. Due to the increased emigration from Ireland and Germany to the United States, the government was compelled to take measures designed to protect natives of Germany and Great Britain who had become American citizens through naturalization, while visiting relatives in their country of origin. Thus, we actively championed the rights of naturalized citizens of the United States sojourning in foreign countries, and in doing so, we had to recognize the right of an American citizen to divest himself of his American citizenship, for we could not consistently claim the right to effect the expatriation of persons born abroad, and the right to protect them as citizens of the United States, if we denied the same privileges to foreign countries, and to native American citizens who acquired a new nationality through naturalization. The act of March 2, 1907, deals with the expatriation of American citizens and their protection abroad. Such expatriation is declared to be effected either by (1) naturalization abroad, or by (2) the taking of an "oath of allegiance" to any foreign state. In the case of a naturalized citizen, residence of two years in the country of origin, or of five years in any other foreign state, creates a presumption that he has ceased to be an American citizen. No American citizen, however, can expatriate himself when the country is at war.

Before the promulgation of the recent Japanese law of expatriation, no Japanese could rid himself of his nationality acquired by reason of his Japanese parentage. That is, as far as the Japanese law was concerned, the Japanese allegiance gained by reason of birth could not be dissolved, and the fourteenth amendment to the constitution, so far as the enforcement of Japanese municipal law is concerned, did not operate to dissolve it. The Japanese government, therefore, held to the doctrine of indelible allegiance, which is nothing other than the common law doctrine as it developed in England and as it was adopted in the United States. It is only another way of saying that the children of Japanese citizens born the world over, are Japanese citizens by right of birth.

About 1917 or 1918, the Japanese enacted a law of expatriation by which the status of dual nationality on the part of Japanese residing here and claiming citizenship under the fourteenth amendment could be brought to an end. Japanese who are native citizens of the United States may expatriate themselves in two ways:

(1) Before the age of 15 through a legal representative;

(2) Between the ages of 15 and 17 years, but never after the age of 17, unless he has presented himself for military duty.

As compared with the practice of the United States, the Japanese law is limited in its scope. Japan will relinquish her jurisdiction over foreign born Japanese, not through the voluntary act of the individual, but only through the permission of the home government. Many countries hold to the view that expatriation is the voluntary right of the individual. Japan does not recognize this principle. The burden is placed upon foreign born Americans to prove that they have retained their American citizenship, while the burden is placed upon the foreign born Japanese to prove that they have renounced their Japanese citizenship through means provided by, and with the permisison of, the Japanese government. In this way, the home government has a rigid military hold on its foreign born citizens.

Moreover, the Japanese law of expatriation does not do away with the possibility of double allegiance, in the case of a Japanese born in the United States:

1. If before the age of 17, a Japanese has not expatriated himself from Japan under the Japanese law, the act of expatriation can not be effected until he has satisfied the military requirements. Japanese born in America must conform strictly to the requirements of the law in order to avoid the condition of dual nationality. Should a Japanese, with this status, return to Japan, he would be held for military duty as a Japanese citizen, and his American citizenship would not be recognized. Should he appeal to the American government for exemption because of his American citizenship, it is probable that fruitless diplomatic negotiations would follow.

2. Should a Japanese return to Japan and establish his residence there, repatriation would follow. Under the Japanese law, a residence of one day is sufficient to

effect one's repatriation. In the United States, the act of expatriation involves a change of (1) home and (2) allegiance, and more especially of allegiance. Japanese law requires only a change in residence, which is satisfied with the very limited requirement of one day.

The American law of 1907 provides that an American woman marrying a foreigner takes the nationality of her husband; but that, when the marital relation ends, she may resume her American citizenship; if she is abroad, either by registering within a year as an American citizen at an American consulate or by returning to the United States to reside, or, if she is already in the United States, by continuing to reside there. Conversely, if a foreign woman married to an American continues, after the marital relation ends, to reside in the United States, she is presumed to retain her adoptive citizenship, unless she renounces it before a competent court; but, if she is residing abroad, she is permitted to retain it by registering within a year at an American consulate. Under the Japanese law, a Japanese woman who marries a foreigner and thereby obtains the citizenship of her husband, is regarded as having expatriated herself. Those who have expatriated themselves on account of marriage may effect their repatriation through the permission of the State Minister of Home Affairs, provided they are domiciled in Japan after the dissolution of the marriage.

Mr. Kuno states that the law was proclaimed in 1917 or 1918. He says that it is very difficult to ascertain the exact date of the promulgation of laws relating to foreign interests.

The translation as given by Mr. Kuno is enclosed.

Very sincerely yours,

CHARLES E. MARTIN.

THE JAPANESE LAW OF EXPATRIATION.

(Promulgated March 15, 1916.)

Translated by Y. S. KUNO and MAX C. BAUGH.

A.

1. When a Japanese woman marries a foreigner and thereby obtains the right of citizenship or subjectship in the nation to which her husband belongs, she is expatriated.

2. When a Japanese subject obtains of his or her own accord the right of citizenship or subjectship of a foreign nation, he or she is expatriated.

NOTE.—A male subject of the Japanese empire who is over 17 years of age, will not be allowed to expatriate himself until he has completed active military service in the Japanese army or navy or he is known to be free from military duty (on account of physical disability, long residence in a foreign country, etc.).

3. Those who have been expatriated on account of marriage may be allowed to be repatriated through permission of the State Minister of Home Affairs, provided she or he domiciles in Japan after the dissolution of the marriage.

B.

1. Foreign born male or female Japanese subjects may be allowed to expatriate through the State Minister of Home Affairs, in the Imperial Japanese government, provided he or she domiciles in the country where he or she was born and thereby and therein obtains the right of citizenship or subjectship.

NOTE 1.—It is imperative that the step be taken by his or her legal representative when the applicant is under 15 years of age.

NOTE 2.—It is imperative that he or she, though over the age of 15 but yet under legal age, or a person adjudged incompetent, shall take this step only with the consent of his legal representative.

TRANSLATOR'S NOTE.—Because the Japanese government thus claims foreign born Japanese as subjects of the empire, though not so stated, it is reasonable to say that

Japanese born in America must conform strictly to the provisions in the note under A, 2. That is, unless such native son expatriate himself from Japan before the age of 17, he can not expatriate himself until he has satisfied the military requirements.

C.

1. Those Japanese who have expatriated themselves on the ground of being foreign born or of their own accord may repatriate when they establish their domiciles within the dominion of the Japanese empire.

Foreign naturalized subjects, their children, or foreign males or females who have been naturalized by virtue of adoption by Japanese families, or who having married a Japanese man or woman and assumed the family name of said man or woman, will under no circumstances be permitted to again become Japanese subjects if they once forfeit the naturalization right thus obtained.

CIVIL CODE OF JAPAN.

DR. LOENHOLM, April 30, 1906.

1. The enjoyment of private rights begins at birth.

2. Aliens enjoy private rights except as forbidden by law, regulation or treaty.

3. On the completion of twenty years a person becomes of full age.

777. If Japanese in a foreign country desire to contract a marriage between themselves, they may make the notification of their marriage to a Japanese Minister or Consul stationed in such country. In such case the provisions of the preceding two articles apply correspondingly.

889. A parent exercising the parental power is bound to use the same care in the exercise of his right of management as in his own affairs.

Even though an act is done by a mother with the consent of the family council, she remains responsible for it, unless she is free from fault.

890. After the child comes of age, the parent exercising the parental power must without delay render an account of his management. In such case, however, the expenses of the bringing up of the child and of the management of his property are deemed to be set off against the profits of the property of the child.

GUARDIANSHIP.

SECTION 1.

THE ARISING OF GUARDIANSHIP.

900. 1. When there is nobody who exercises parental power over a minor, or when the person exercising the parental power has not the right of management;

2. When a person has been adjudged incompetent.

908. The following persons can not be guardians:

1. A minor.

3. A person who has been deprived of public rights.

910. A person who may designate a guardian may also designate by will a supervisor of guardianship.

911. If no supervisor is designated under the provisions of the preceding article, the legal or the appointed guardian must, before he enters upon the duties of the guardianship, apply to the court to convene a family council for the purpose of appointing a supervisor. If he acts in contravention of these provisions, the family council may remove him.

If a family council appoints a guardian, it must at once also appoint a supervisor of guardianship.

912. If after a guardian has entered upon his duties the position of supervisor becomes vacant, the guardian must without delay have the family council convened and a supervisor appointed. In such case the provisions of article 911, 1, apply correspondingly.

915. The duties of a supervisor of guardianship are as follows:

1. To supervise the guardian in the performance of his functions;

2. In case of a vacancy in the guardianship, to call without delay upon the person next in order to enter upon the duties of guardianship, or if there is no such person, to have the family council convened and a guardian appointed;

3. To take necessary steps in case of any emergency;

4. To represent the ward as to acts where the interests of the guardian or of a person whom he represents and of the ward conflict.

917. A guardian must without delay commence to make an examination of the property of the ward and must within one month finish it and make an inventory. Such period may, however, be extended by the family council.

The examination and the making of the inventory have no effect, unless done in the presence of the supervisor of guardianship.

If a guardian does not make an inventory according to the provisions of the foregoing two paragraphs, the family council may remove him.

921. The guardian of a minor has as to the matters mentioned in articles 879-883 and article 885 the same rights and duties as a parent exercising the parental power; but he must have the consent of the family council to change the manner of the bringing up of the ward or of his residence as established by the parent exercising the parental power, or to place the minor in a correctional institution, or to permit him to carry on business or to withdraw or restrict such permission.

923. A guardian manages the property of the ward and represents him in all juristic acts relating to it.

924. A guardian must on his entering upon his duties determine in advance with the consent of the family council the amount which shall be spent each year for the support and education or for the medical attendance and care of the ward and for the management of his property.

The amount so fixed can be changed only with the consent of the family council; but this does not prevent the expenditure of a larger amount in case of necessity.

925. The family council may allow to the guardian a reasonable compensation out of the property of the ward, taking into consideration his pecuniary condition and that of the ward and other circumstances. But this does not apply, if the guardian is the husband or wife, a lineal blood relative or the head of the house of the ward.

927. The family council must determine at the time of the guardian's entering upon his duties an amount upon reaching which the guardian must deposit all money received by him for the ward.

If a guardian does not within a reasonable time deposit money received for the ward, although the amount determined by the family council has been reached, he must pay legal interest upon it.

The place of deposit of the money is determined by the guardian with the consent of the family council.

928. A designated or appointed guardian must make a report to the family council at least once a year on the condition of the ward's property.

931. A guardian can hire property of the ward only with the consent of the family council.

932. If a guardian does not perform his duties, the family council may appoint a temporary manager and cause him to manage the ward's property on the guardian's responsibility.

933. The family council may require a guardian to give proper security for the management and the restoration of the ward's property

THE FAMILY COUNCIL.

945. The family council consists of at least three persons appointed by the court from among the relatives of the person concerned or else from among persons connected with him or with his house.

Chapter VIII.

THE DUTY OF SUPPORT.

954. Lineal blood relatives and brothers and sisters are bound to support each other.

955. If there are several persons bound to furnish support, the duty rests upon them in the following order:

1. Husband or wife;
2. Lineal descendants;
3. Lineal ascendants;
4. The head of the house;
5. The persons specified in article 954, 2;
6. Brothers and sisters.

As among lineal ascendants or as among lineal descendants, the person nearest in degree is first bound to furnish support. The same applies as among the lineal ascendants mentioned in article 954, 2.

956. If there are several persons of the same rank bound to furnish support, the burden is apportioned among them according to their respective pecuniary abilities; but as between those belonging to the house and those not belonging to it, the former are in the first instance bound to furnish support.

960. The extent of the support is determined by the needs of the person to be supported and by the condition in life and the means of the person bound to furnish support.

Letter of Professor Wm. Carey Jones.

UNIVERSITY OF CALIFORNIA, SCHOOL OF JURISPRUDENCE,
BERKELEY, CALIFORNIA.
BOALT HALL OF LAW, March 17, 1920.

MR. FRANK L. LATHROP,
Farm Expert, State Board of Control,
Sacramento, California.

DEAR MR. LATHROP: I have been awaiting reports which I tried to set on foot in response to your inquiry. I have just received the enclosed from Professor John Norton Pomeroy of the University of Illinois, now at work on digesting treaties for the State Department, and temporarily residing here. I don't know whether this investigation of Mr. Pomeroy's is of any service to you or not.

I have one additional item to give you. In the appendix to De Becker's Civil Code of Japan, is a copy of the law of naturalization of April 1, 1899. Article 1 of this law reads as follows:

"A child is a Japanese if his or her father is a Japanese at the time of his or her birth. The same applies if the father who died previous to the child's birth was a Japanese at the time of his death."

I am at a loss to know what further help I can give you. I shall be very happy to be of any service within my power.

Very sincerely yours,

WM. CAREY JONES.

CITIZENSHIP OF CHILDREN, BORN IN THE UNITED STATES, OF ALIENS WHO ARE INCAPABLE OF NATURALIZATION.

By PROF. JOHN NORTON POMEROY of the University of Illinois.

Whatever doubts may have existed, prior to 1898, concerning the meaning of the definition of "citizens" contained in the fourteenth amendment, were set at rest by the case of *United States vs. Wong Kim Ark*, 169 U. S. 649, holding that a Chinaman, born of parents residing in this country, and returning, about a year after his majority, from a visit to China, was not subject to the Chinese exclusion acts; he having never gained a new residence or renounced his allegiance to the United States.

In other words, the fourteenth amendment means precisely what it says.

169 U. S. 668. "It is the inherent right of every independent nation to determine for itself, and according to its own constitution and laws, what classes of persons shall be entitled to citizenship." So long as the child remains within the United States, therefore, his political status is a question of our municipal law, for determination by our courts. When, however, he comes within the territorial jurisdiction of the country of his parents, it may be that under the laws of that country he is a citizen thereof, and subject to duties of allegiance thereto. It then becomes a question of diplomatic policy to what extent and under what circumstances the United States shall undertake to afford him protection. For numerous examples of our diplomatic practice, see 3 Moore, Digest of International Law, pp. 532 *et seq.*; that practice has not always been consistent; see Id. p. 534, Case of Pinto.

Right of expatriation.

169 U. S. 704. "No doubt he might himself, after coming of age, renounce this citizenship, and become a citizen of the country of his parents, or of any other country."

The policy of our laws has always favored the right of expatriation; and it was recognized (1868) by Congress as "a natural and inherent right of all people, indispensable to the enjoyment of the rights of life, liberty and the pursuits of happiness." U. S. Comp. Stats. 3955.

Expatriation may, by statute, result from naturalization in, or taking an oath of allegiance to, any foreign state (U. S. Comp. Stats. 3959), or by marriage to an alien husband (U. S. Comp. Stats. 3960). Apart from these methods, there must be, in the case of native born citizens, an actual, voluntary *removal from the country*, without *animus revertendi*. See numerous cases collected, 11 Corpus Juris, p. 784.

Can there be expatriation (apart from statute) of a native born citizen during his minority?

There seems to be no doubt that by prompt election *on attaining majority* a native born child who has been removed from this country may claim his United

States citizenship; see cases of diplomatic protection extended under these circumstances, 3 Moore 543 *et seq.* The best proof of such election of citizenship is by a prompt return to the United States; Id, 548, 550.

It would seem to follow, logically, that the mere acts (1) of the parents in taking the child to their country, even for a prolonged stay, or (2) of the child involuntarily removing, while a minor, to the parents' country, do not debar the child, on his return to the United States *during minority*, from his status as citizen. See 169 U. S. 704: "Whether any act of himself, or of his parents, during his minority, would have the same effect (viz, expatriation), is at least doubtful. He is not competent to expatriate himself during minority." *State* vs. *Jackson*, 79 Vt. 504; *Ludlam* vs. *Ludlam*, 26 N. Y. 356. Conclusive federal authority on this point is, to be sure, lacking; but there are several cases where a returning minor was immediately readmitted to the rights of citizenship after an absence extending over a considerable number of years.

Summary: When Japanese born in United States may claim in United States rights of United States citizenship.

I. A Japanese child, born in this country, who has never left this country, is plainly a citizen under our laws, as much as any other native born person.

If he goes to Japan, his political status there is a matter for Japanese law and United States diplomacy.

II. If he is taken to Japan during minority and (1) returns to this country for a permanent stay shortly after majority, he thereby elects his United States citizenship; or if he (2) returns before majority for a permanent stay, his remaining after majority constitutes such election. Dicta and logic support the opinion, in this latter case: (3) that his rights of citizenship may always be asserted, immediately upon his return to the United States.

III. The status of a Japanese child taken to Japan during minority and returning some years after attaining majority is a question of fact, depending on the circumstances of each case.

IV. However, a Japanese child may, under statute, lose his United States citizenship by foreign naturalization or oath of allegiance; or, if a female by marriage to an alien.

The above memorandum relates to citizenship, and the *political* rights flowing therefrom. *Civil* status, with the rights of inheritance, marriage, etc., involve the question of domicile, which is an entirely different matter.

NOTE.—The above was furnished the Board of Control through the courtesy or Prof. Wm. Carey Jones, Dean of the School of Jurisprudence of the University of California, at whose request on our behalf it was prepared by Prof. John Norton Pomeroy of the University of Illinois, who was temporarily residing in Berkeley while making a digest of treaties for the State Department at Washington.

Future Voters.

California bears in mind that there are now 21,611 Japanese minor children, born in California, all of whom will shortly become full-fledged voters, some already having acquired that right. To this number must be added approximately 5000 American-born Japanese temporarily domiciled in Japan for educational purposes who are eligible to return here at any time and who will, upon reaching majority, exercise the right to vote.

Besides these must be counted those Japanese who are citizens of the Hawaiian Islands, and, therefore, American citizens, and who are coming to California in ever-increasing numbers.

Considering the preponderance of Japanese population in certain California localities, the results that will follow in the future from this voting privilege merit serious consideration.

Section XII.

SCHOOLS.

SCHOOLS.

In this section:

(1) Attendance of Orientals in American public schools.

(2) Japanese language schools conducted by Japanese in California.

(3) Japanese language schools in Hawaii.

(4) Effect of these Japanese schools upon the Americanization of Japanese as pictured by Dr. Sidney L. Gulick with quotation from him.

(5) Japanese home influence nullifies American school teachings.

SCHOOLS.

Orientals attend the American public schools. In fact, in a number of districts the Japanese now constitute the major part of the attendance, whites and Japanese attending the same schools, together.

Japanese Language Schools.

The Japanese, besides attending the American public schools, thereby acquiring the English language and a knowledge of American customs, in many districts they also attend private Japanese schools conducted in the Japanese language in which are taught the language, laws, customs, history and religion of Japan. How many there are at present of these Japanese language schools was not ascertained definitely. However, in a memorial address, prepared by the Japanese Association of America (in California), to the President of the United States, on the occasion of his visit to California in 1919, the Japanese Association stated that there were in California seventy-five such Japanese language schools, which they designate as "supplementary" schools.

While these schools are said by the Japanese to be primarily for the study of the Japanese language, and not intended to perpetuate the traditions and moral concepts of Japan, nevertheless, when an attempt was made in the Territorial Legislature of Hawaii to require teachers in these Japanese language schools to qualify for a certificate to teach, by passing an examination in the English language, American history and American civics, the measure introduced in the legislature for this purpose was strongly opposed by Japanese educators and editors on the ground that it would force Japanese schools in that territory to close. This opposition defeated the bill. (See Appendix "A" of Hearings before Committee on Immigration and Naturalization, House of Representatives, page 277.)

Japanese Home Influence Nullifies American School Teachings.

It seems apparent that the teachings of the American public schools do not offset the Japanese home influence, for, after years of residence in California, the Japanese still continue to congregate in racial groups, speak the Japanese language among themselves and adhere to the customs of the mother country. There is little evidence of their assimilation. Dr. Sidney L. Gulick, author of numerous books and articles on the Japanese question, lecturer in the Imperial University of Japan, and who is by no means unfriendly to the Japanese, has expressed this very aptly in his book, "The American-Japanese Problem," in which, addressing himself to the subject as it relates to the teaching of Japanese children in the schools of Hawaii, he writes as follows:

> "It is not to be assumed that the education they (Japanese children) receive in the public schools, which they leave at 14 or 15 years of age, is adequate to prepare them for citizenship during the six or seven years after they get out from under the influence of their American teachers. Most of the boys will be isolated from English-speaking Americans; they will be associated chiefly with men of their own

race, imbibing, therefore, the Oriental ideas as they approach manhood. The mere fact, accordingly, of American birth, public school education, and the requisite age should not be regarded as adequate qualification for the suffrage; for it is to be remembered that during the entire period of schooling, not only have they been in Oriental homes, but the Japanese at heart have been diligently drilled in Japanese schools by Japanese teachers, many of whom have little acquaintance and no sympathy with American institutions or a Christian civilization.

If, as Asiatics, they maintain their traditional conceptions of God, nature, and man, of male and female, of husband and wife, of parent and child, of ruler and ruled, of the state and the individual, the permanent maintenance in Hawaii of American democracy, American homes, and American liberty is impossible."

Concerning the Japanese language schools in California, the Japanese Association of America in the memorial to the President, above mentioned, has the following to say:

"Aside from the schools for instructing Japanese in English there are seventy-five so-called 'supplementary' schools for teaching children the Japanese language. These are attended by the Japanese pupils after the public schools close for the day. They are primarily for the study of the Japanese language and are not intended to perpetuate the traditions and moral concepts of Japan. Of course, these are criticised by hostile Americans. But says Professor Millis, 'They are supplementary schools, and at the worst, there is much less in them to be adversely criticised than in the parochial schools attended by so many children of the South and European immigrants. No real problem is yet evident connected with Japanese children on American soil.'"

Section XIII.

APPENDIX.

APPENDIX.

For the purpose of permitting the presentation of the Japanese side of the whole matter contained in this report, there is appended hereto the following:

(1) Memorial address prepared by the Japanese Association of America (in California) and presented to the President of the United States while at San Francisco on September 18, 1919, upon the occasion of his visit to California. This covers the whole range of Japanese relations to this state.

(2) Truth of the Japanese Farming in California by Toyoji Chiba, Managing Director of the Japanese Agricultural Association of California.

Appended herewith is printed the text of the initiative measure amending the Alien Land Law of California which is now being circulated and is proposed to be voted upon at the general election in November, 1920.

MEMORIAL PRESENTED TO THE PRESIDENT WHILE AT SAN FRANCISCO ON SEPTEMBER 18, 1919.

THE JAPANESE ASSOCIATION OF AMERICA.
No. 444 Bush Street, San Francisco, California.

Honorable Woodrow Wilson,
President of the United States of America,
San Francisco, California.

Mr. President: The Japanese Association of America, on behalf of resident Japanese in the State of California, extends greetings to you and begs to add its voice of welcome to that of the great state which you now honor by your presence. It sincerely hopes that the noble task in which you are now engaged may be fully realized, and that world peace and happiness may be the ultimate rewards of the labors for humanity to which your great efforts are devoted.

The Japanese people of this state, trusting implicitly in the lofty spirit of justice and fair dealing which have characterized your every public act and expression, take advantage of your presence in California to lay before you a few facts and figures bearing upon their relations to the community in which they reside, and they venture to ask for them your respectful and disinterested consideration.

The cry against our people may be historically traced as far back as 1887, when there were no more than 400 Japanese in the entire state. The so-called Japanese question did not, however, assume an acute character until 1906, when the school question arose. Unfortunately that question was settled by the politicians and not determined upon its true merits. At any rate, ever since that date, the Japanese "question" has become an issue of a most complicated nature--political, economic, racial, diplomatic—always resulting in the suffering of the Japanese residents. A few of the more familiar cases might be mentioned. The "Gentlemen's Agreement," under the workings of which America prohibits Japanese immigration, has been so strictly administered by the Japanese government that there has been no immigration from Japan. The alien land law of this state, enacted in 1913, prohibits Japanese ownership of land and limits the terms of lease to three years. This limitation strikes at the very foundations of farming so far as the Japanese are concerned, and the limitation is substantially interfering with all Japanese agricultural enterprises. Not satisfied with these annoying measures, innumerable anti-Japanese bills were introduced at the last session of the State Legislature. One of these proposed to deprive the Japanese of the right to lease land while another proposed to segregate Japanese children in the public schools.

These facts, not to mention others, have tended to strain the historic friendly relations between the United States and Japan. We regret the situation. However, the Japanese residents, on the whole, have so far entertained the faith that the American Government would eventually protect them and render them justice and peace. A great deal of anxiety has, in the meantime, been experienced by them. This is but natural, and this unrest has been reflected across the ocean. Some of us who feel that we are better acquainted with the situation, have taken the position that our best course must come from education and we have been doing our utmost in what we characterize as an "Americanization campaign." We point out to our fellow-countrymen the better elements in American civilization, urging them to strive for their own improvement and better fit themselves for American life, hoping thereby to be relieved of the anxiety created and reenforced by the constant agitation against them. Our Americanization campaign will prove fruitless unless backed by true sympathy on the part of Americans. We regret to say that even to these efforts on our part there has been given but little response or sympathy.

May we not then appeal to you, Mr. President, and ask your powerful aid in so adjusting our condition on this coast that we may engage in legitimate pursuits and live in peace?

A census of the Japanese in California, taken in September, 1918, shows the following facts: The total Japanese population is 68,983, composed of 41,842 male adults, 12,232 female adults, 7877 male children and 7031 female children. Of these the farmers and their families number 19,044, while farm laborers and their families count 18,968. In other words, more than 50 per cent of the Japanese in the state are engaged in agriculture and horticulture. The remainder are engaged in commerce, in domestic service, transportation, factories, canneries, etc.

The Japanese in agriculture constitute the most important element in number as well as in other respects. And thus it happens that whatever hostility now exists is generally directed against this particular element. The status of this element may be briefly stated. The most recent investigations show the number and acreage of farms cultivated by Japanese under various methods as follows:

California Farms Under Japanese Management.

District	Ownership		Tenant		Contract		Total	
	Number	Area	Number	Area	Number	Area	Number	Area
Northern coast	39	2,155	223	8,859	13	1,400	275	12,414
Sacramento Valley	146	6,811	1,220	117,067	14	4,040	1,380	127,906
San Joaquin Valley	10	6,315	367	57,779	28	3,703	405	67,797
Livingston	34	1,751	5	125	------	------	39	1,876
Central California	182	9,723	549	40,758	------	------	828	50,481
Southern coast	31	600	306	30,493	65	14,465	855	45,558
Totals	442	27,355	2,672	255,071	120	23,608	3,780	306,037
Southern California	84	2,950	2,266	81,650	------	------	2,350	84,600
Grand totals	526	30,305	4,938	336,721	120	23,608	6,130	390,637

Again, the following table shows the crops raised by the Japanese farmers, as well as their values:

Product	Acreage	Yield per acre	Total yield
Grapes	47,439	$150	$7,115,850
Berries	5,968	700	3,580,800
Fruits	29,210	150	7,381,500
Greens	17,850	300	5,355,000
Potatoes	18,830	135	2,542,050
Onions	9,251	250	2,312,750
Asparagus	9,927	150	1,489,050
Tomatoes	10,616	100	1,608,500
Celery	3,568	300	1,070,400
Cantaloupes	9,581	250	2,395,250
Beans	77,107	70	5,397,490
Rice	16,640	160	2,662,400
Seeds	15,847	160	2,535,520
Sugar beets	51,604	70	3,612,280
Hay and cereals	15,753	50	787,650
Corn	7,845	60	470,700
Hops	1,260	180	226,800
Ornamental flowers and plants	298	----------	450,000
Cotton	18,000	100	1,800,000
Miscellaneous	5,084	----------	491,070
Totals	371,680	----------	$53,375,720

To illustrate more concretely how the Japanese farmers have achieved their present position the following illustration may be given. In 1918 Japanese farmers in the Sacramento Valley contributed more than 1,000,000 sacks of rice to the food supply of the United States and its allies. They planted 25,000 acres to rice in the five counties of Sutter, Yuba, Colusa, Glenn and Butte. This year the total acreage devoted to the same industry has increased to 140,000, of which 33,000 acres are cultivated by Japanese. They expect to harvest 9,400,000 bushels. Of these the Japanese share is expected to reach 2,400,000 bushels.

This immensely prosperous industry, which in eight years has assumed a commanding position in the Sacramento Valley, was first put on a safe commercial basis and proved a success by Japanese. Japanese were not the first to try rice in California, but they were the first to make it a commercial proposition. They were the first to apply with practical success the experimental results of the government rice station at Biggs. And they were the ones who stuck to rice through all the years before the industry emerged from its uncertainties and became firmly established.

The Japanese demonstrated success and the American farmers who have since been getting rich out of the industry and who now greatly outnumber the Japanese rice planters, must admit that their prosperity is founded on the structure built by the daring and persistence of the Japanese.

There is something more. This pioneering developed a huge food production on land that in most cases will not grow anything else. It is admitted that the rice industry has been created out of nothing.

Certainly the lands on which it has been built up were next to nothing before the persistent industry of the pioneers demonstrated that rice would grow on them. It is a curious fact that rice can not be grown successfully in California except on the poorest lands. The very conditions that spoil the land for other crops are the ones necessary to the success of rice. On good soils rice grows so rankly that the heads do not mature until too late, bringing the harvest past the beginning of the rainy season. Hardpan close to the surface, the bane of land where it occurs, is essential to rice growing. Rice fields must be kept flooded through the growing season. Consequently hardpan must be present to hold the water. Most of the lands now devoted to rice are so impregnated with alkali that only salt grass grew on them before.

The growers had everything to learn. Americans were at a loss because the varieties they were familiar with in the South were not successful. And though a Japanese rice, the Wataribune variety, finally became the commonest one grown, even Japanese farmers familiar with rice growing in their own country were no better off. In Japan rice is cultivated intensively. The young plants are germinated in seed beds to be transplanted in small paddies, where they are cultivated by hand. Such methods are impossible in rice growing on a large scale as it is practiced in California.

Consequently the early rice growers, Japanese and American, lost money. Most of them quit. But one Japanese stuck to it and thereby earned the title of pioneer in California rice growing. That was K. Ikuta, who never quit, but is still growing and successfully. And ten years ago the land now devoted to rice growing was worth no more than ten dollars an acre. No one will now sell the same land for less than one hundred dollars. The rental on these lands varies from thirty-five to forty-five dollars. Is not this a substantial creation of wealth for the state?

Again, vast acres along the lower Sacramento and the San Joaquin reclaimed from an original condition of swamp and tule beds, long reaches of orchard and vineyard on the east side of the San Joaquin and Sacramento Valleys developed from a semidesert, where at the best only crops of hay or grain were produced before, great areas of garden and orchard in the Santa Clara Valley which, in like fashion, have sprung up on former hay fields, and many other improvements in various parts of the state testify to the pioneering of the Japanese.

An American writer says:

"The most striking feature of Japanese farming in California has been this development of successful orchards, vineyards or gardens on land that was either completely out of use or else employed for far less profitable purposes. Ignorant of the facts of the case, we have been inclined to believe in California that Japanese farmers have merely taken over lands and farms of American farmers and continued the business as they found it. The slightest study, however, shows this conclusion to be a complete error.

The Japanese farmer in California has always been a great developer and improver. Where he has taken over lands that were in use before his time he has almost always, if not always, put them to a far higher use and made them far more valuable than they were before. But with a great proportion of the lands he now farms he has developed them out of nothing, or next to nothing.

He is the skillful agriculturist who has done so much to bring out the riches of the vast delta of the San Joaquin and the Sacramento. He is the vine planter who has transformed the poor clay lands of Florin, Acampo and Lodi into rich vineyards. He is the horticulturist who dared to settle on the shifting sands of Livingston, in Merced County, and Bowles, in Fresno County, and turned those wastes into valuable orchard and vineyard. He is the adventurer who had the nerve to level the formidable 'hog wallow' lands along the thermal belt in Tulare County and plant on them the oranges and vines, the proved success of which has changed these spring sheep pastures into another prosperous extension of the citrus region of California. He is the persistent experimenter who hung on in rice growing until it became a success.

In all this and in much more the Japanese farmer was the pioneer. It must not be thought that he struck out these successes for himself alone. He does not enjoy alone the wealth he created and the prosperity he produced. In all these places his daring and industry immensely increased the value not only of the lands he had bought or leased, but as well of those of the American landholders in the vicinity. His success as a pioneer was the example that brought many times his number of American farmers to these localities to engage with profit in the industries which he had demonstrated for their benefit.

Prosperous as the Japanese farmers in California are, it is just to say that they have produced for American farmers many times the wealth they have gained for themselves. In the enhancement of land values alone Japanese farmers have added millions to the total wealth of the state. This means not only the enlarged value of the lands they have farmed and improved, but also the increased value of the neighboring lands. In all the once hopeless districts in which Japanese farmers have made a success the American farmers who came after have them to thank."

Of course, these achievements are not without sacrifices. In many other places in California besides the river regions the Japanese farmers have met, fought with and overcome unhealthful conditions. They have not overcome them without fearful losses. In Fresno County alone, in the earlier days of development, when water and sanitary conditions were bad, the Japanese lost 3000 lives. It is not too much to say that the lives of these Japanese boys were expended in the service of the state and the United States.

Furthermore, the Japanese farmer has never been content to do merely as well as the American farmer under whom he learned farming in California. When he has not been pioneering new land he has always found a way to make the soil produce a better and more profitable crop than it did before.

Perhaps the most brilliant example of Japanese agricultural pioneering in California is the colony at Livingston. That unique colony in Merced County, where Japanese and American live and work in friendly cooperation, animated by common purposes of good citizenship, still remains the highest example of Japanese settlement in California.

The Japanese of Livingston, where 85 per cent of their numbers are Christians, have in the past year organized a church and called a pastor. The new church, which is nondenominational, was organized, the Livingston Japanese explain, because the older people of the colony can not understand services in English. The idea is that eventually all, Japanese and Americans, shall go to the same church, but at present the elders who do not speak much English, and the little children, go to the Japanese church and Sunday school while the older children attend the American church.

The Colony Association owns ten acres which has been set aside for the church buildings and a public park. The Association meeting hall, in the park, has been enlarged and now serves for church services as well as for public meetings. American citizens of the community have presented the Japanese meeting hall with a large American flag and a portrait of President Wilson.

Let one of the colonists speak.

"The following points are, in my opinion, the most conspicuous reasons, among others, why the Japanese colonists in this place are able to keep their social order comparatively systematically:

In the first place, the pioneer Japanese settlers here bought their lands and cultivated them with their own hands.

In the second place, I must not forget to point out the kindness of our American neighbors to us.

The third point is the fact that most of the Japanese residents in this place are followers of Christianity.

Lastly, there is one thing that I want to call to the attention of thoughtful Americans and Japanese in California. It is the question of the Japanese farmers in California. I do not mean to discuss the immigration problem, which has been discussed by many able persons. But we must admit the fact that, because of the Alien Land Law, prohibiting the ownership of land by Japanese and prohibiting land leases for more than three years, most of the Japanese in the state, with their families, are forced to wander about from one place to another without any definite aim of settling down.

Under such circumstances must they not only earn their living, but support their families and give their children education. Most of their children, being native born citizens of this country, naturally look on this country as their own fatherland, and consequently it is needless to say that it is the duty of their parents as well as of society itself to give them a sound education and to make them good and able citizens of the United States. Education does not always give a man personality. Building up of manhood and noble personality depends largely on the conditions of the home and outside influences in childhood and boyhood. I believe, therefore, that with a strong conviction of our responsibility for the future life of our second generation, we must take it as our solemn duty to give our younger generation better conditions at home and more favorable surroundings. It is, undoubtedly, a hard and complicated problem to fill these conditions, how to improve our home life and how and what to do to change the social conditions. If I am allowed to speak frankly, I say that we must get down to the bottom of the problem and make a complete change in the system of our life. This is the fundamental and essential point of the problem presented to us. By changing the system I mean that some of those who are in the cities or in the country already improved, should go into the untouched lands, where they can build up their homes and create new society. The Japanese pioneers of Livingston followed this system when they established a colony in this place."

A brief statement may here be made concerning the anti-Japanese agitation in California. Before taking up the alleged reasons upon which the agitation is based we may be allowed to quote one of the best general statements on the subject, which was prepared by Professor P. J. Treat of Stanford University, an acknowledged authority on Oriental history. He says:

"It was in 1905 that the first suspicion of friction appeared. And in the next nine years a series of incidents occasioned some ill feeling, but it must be remembered that the friction was always between popular groups; the official relations were always cordial.

The occasions for controversy were found in both the United States and in the far East. In the United States it arose from the agitation for the exclusion of the Japanese immigrants. This movement began in California about 1905. It had small basis in fact, for there were relatively few Japanese in this country, but if their number continued to increase as rapidly as it had since 1900 a real social and economic problem would be soon presented. Instead of meeting this problem through diplomatic channels, the agitators, remembering the Chinese exclusion movement of an earlier generation, commenced direct action. This took the form of the so-called 'schoolboy incident' in San Francisco. Using the excuse that school facilities were lacking after the great fire in 1906, the school board ordered all Oriental students to attend a designated school. The Japanese, recognizing the motive which prompted this action, justly resented it. And it was the more ungracious because at the time of the earthquake and fire the Japanese Red Cross had contributed to the relief of San Francisco more money than all other foreign countries combined. They had eagerly seized this opportunity of showing their appreciation of all that the United States had done for Japan in the past. The action of a local school board soon became a national and an international question. With the legal aspects we are not concerned here. The matter was settled, between the federal government and San Francisco, by a compromise. The Japanese students were admitted to all the schools as of old, and President Roosevelt promised to take up the question of immigration with Japan.

When the matter was presented in proper form, the Japanese at once met our requests. Practically all thoughtful Japanese realized the dangers involved in a mass immigration of people from a land with low standards of living to one where they were high. The understanding took the form of the 'Gentlemen's Agreement,' under which Japan promised not to give passports to laborers desiring to emigrate to the United States, and our Government in turn agreed not to subject the Japanese to the humiliation of an exclusion act. Since this agreement went into effect in 1907, it has met every need. No one has found ground for questioning the scrupulous good faith of the Japanese foreign office in the issue of passports. In fact the admission of Japanese, under the passport system, has worked out with fewer abuses than the admission of Chinese under the exclusion laws which we administer ourselves.

Unfortunately this good understanding did not quiet the agitation on the Pacific Coast. In the California Legislature in 1909, 1911 and 1913 a number of measures were proposed which would have caused discrimination against the Japanese residents of the state. These were reported to the Japanese press, and even though not passed they kept alive the resentment. Japanese who accepted our views regarding immigration did not hesitate to assert that such Japanese as were admitted to our country should enjoy rights and privileges equal to those of any alien. A crisis was reached when, in 1913, a bill was proposed at Sacramento which would deny to Japanese the right to acquire land or to lease it for more than three years. The purpose of this bill was to prevent the accumulation of agricultural land by the industrious and thrifty Japanese farmers. But the danger was largely imaginary because, due to the 'Gentlemen's Agreement,' very few Japanese could enter the country, and in 1913 less than 13,000 acres were actually owned by them. In spite of the efforts of the national administration, the bill was passed in a modified form, which made it apply only to 'aliens ineligible to citizenship.' This class included, specifically, the Chinese, and, by interpretation, all aliens who were not 'free white persons' or persons of African nativity or descent. The act, moreover, especially asserted that it respected all treaty obligations. Thus the responsibility was thrown back upon the federal government, whose naturalization laws apparently debarred Japanese from citizenship. At the time Professor H. A. Millis, a well known economist who had made the most careful study of the Japanese in the Western States, did not hesitate to assert that the law was 'unjust, impolitic and unnecessary legislation.' Against this land law the Japanese government protested, and our administration defended the legality of the act. But as an effort was made on both sides to avoid trouble, the issue was never joined, and the exchange of notes never completed. But the so-called 'Alien Land Law' did more to disturb friendly relations than the immigration controversy seven years before. Happily, there has been no renewal of the anti-Japanese agitation in California. In 1915 Japan made a notable exhibit at the Panama-Pacific Exposition, which was properly appreciated, and since that time a better understanding has been established between the labor organizations of California and Japan."

The immigration from Japan by years since 1908 has been as follows:

1908	15,803	1914	8,929
1909	3,111	1915	8,613
1910	2,720	1916	8,680
1911	4,520	1917	8,991
1912	6,136	1918	10,213
1913	8,281		

Among the most commonly used arguments against the Japanese are the charges that they are non-assimilable, that they underbid prices, that their standard of living is lower and that their power to work is greater, and that their birth rate is higher. They say "the Caucasians and Asiatic races are unassimilable." "The leopard can not change its spots." "The Creator made the two races different and different they will remain." If this is true, it can not be answered. Is it a misfortune that the Creator did not keep them apart? But America came to Japan first. At any rate, they assert in the same breath that "The Japanese are intensely distinct and self-conscious as a race and nation. Those who come here come as Japanese. They have no thought of becoming Americans." But this is not true. The facts previously given prove it. The racial difference, even if it tends to discourage amalgamation, by no means prevents assimilation. The history of modern Japan is a clear proof that the Japanese are assimilable. The Japanese in California are assimilated to a degree unrecognized by anti-Japanese Americans. The native born Japanese are one hundred per cent American, while foreign born Japanese are at least fifty per cent American in spite of the many obstacles put in their way. Their spiritual attitude toward, and material contributions to, the various enterprises of the late war eloquently testify to this effect.

In the early days of Japanese immigration it is true that the Japanese did underbid to a certain degree. But that is true of all immigrants until they have become familiar with American industrial life and have mastered the art of bargaining advantageously. Since 1907 the Japanese have been enjoying a scarcity value. Today, they are earning more than other races similarly engaged. On farms the common Japanese laborer is getting $4.50 a day, while others are paid $4. This argument, if true in the past, is no longer a fact.

The above argument is, of course, based on another, namely, that the Japanese are satisfied with a lower standard of living. They say, speaking of the Japanese: "Accustomed to live on a little rice and dried fish, to sleep on a board, and to do with very few of the comforts of life, no white man can hope to hold the field against them." This picture of the Japanese is not quite true. But it is true that the prevailing standard of living among the Japanese immigrants was low in the past. They could then earn on the farm no more than $1 or $1.50 a day. On such wages they could not indulge in the standard of living enjoyed by American workingmen. This fault is nothing innate with the Japanese. They were compelled to live cheaply because of their limited earning capacity. With their increased earning power their standards rose. Their present standards of living are not inferior; as a matter of fact, they are superior to those which prevail among other immigrant races. At this point it should be noted that as yet many Japanese men are single, as the sex distribution above given shows, and these are mostly without their own homes. Thus they spend relatively a small portion of their earnings on actual living. The rest is spent on things largely for display, good clothes, gold watches, diamond rings, etc. This is not a commendable habit, but display seems to be an inevitable accompaniment of their nomadic life. When their mode of life becomes normalized by marriage and settlement, these things of display will be changed to things of living. Then their expenses of living will constitute no problem.

The Japanese nation is characterized by industry and perseverance, so naturally the Japanese who are here possess the power of endurance and the habit of industry. But it appears rather strange that Americans should complain of these facts, for they themselves take pride in these very characteristics. Those Japanese who are even slightly acquainted with American history can not but be impressed by the degree of these qualities with which Americans have converted the once wild west into a fertile land. The Japanese, as they have been conditioned upon arrival in this country, have found that the best asset they possessed consisted in those characteristics that helped them to get on an independent footing. So they worked and worked hard, and as it is charged, perhaps overworked as some of them still do. American farmers who complain that their Japanese neighbors work longer hours must realize that the latter are handicapped in many other respects to make them successful. The most noteworthy of these is their ignorance of the American methods of disposing of their produce. The Japanese farmers greatly lack the commercial ability possessed by the Americans. Consequently they think that they must produce more than their American neighbors. Even if this position is a mistake, they have at least thought so. But why do they struggle so hard? The majority of these Japanese farmers lacked educational opportunities at home. Recognizing this, it impels them to work very hard so that they can give their children a chance to get education. It is a well known fact that the Japanese will do anything to get an education or to enable their children to obtain it. So far as we know, the Japanese farmers work hard not so much for their own enjoyment of life, but because they think of the future welfare of their children first. Of course, this is not altogether wise, and we are trying to point out to them that they, too, must develop. We are advising them as best we know how, not to work so hard as to cause their neighbors to criticise them, and to create some leisure for self-development. At the same time, it appears even to us rather strange that the Americans should complain of Japanese industry. But if Americans insist that Japanese should work no more than so many hours, that can be easily accomplished. Admit them into the unions and make them obey the union rules. This simple method will do away with the problem except perhaps for those engaged in agriculture. Farmers, too, in time, might be habituated to shorter hours of labor.

Of late, much eloquence has been spent in condemning the Japanese birth rate. It is alleged that the Japanese power of fecundity is notoriously high, furnishing ground for the fear that the Japanese will become the dominating race in California. The white races will be driven from the land. Hence the terrible "yellow peril"! But in reality, we are not even certan that the birth rate among the Japanese is very high. We have no statistics to prove it. No one, so far as we know, has studied this subject scientifically. No one has given us statistics showing even elementary facts such as sex distribution, marital condition, age composition, etc., of the Japanese population. Yet without these facts we can not make a comparative study of the birth rate between any two races. But let it be granted, for the sake of expediency, that the Japanese birth rate in California is higher than, say, the American birth rate. Even if this is true, it can not be established as a racial trait of the Japanese. It is probably due to their inferior social, economic and intellectual status. The ignorant always suffer from high birth rate, which are always accompanied by high death rates. But as they advance, their power of fecundity falls. This is an established fact. The birth rate among "old" immigrant races is fast falling. As the Japanese emerge from their present status, their birth rate, too, will surely fall. Thus the allegation that the Japanese will dominate California and will drive the white races from the land is a reality that exists only in the mind of agitators.

Finally we beg to state a few facts concerning the more important of our positive efforts to uplift the Japanese residents. These may be classified under four headings: An organized movement for Americanization, the protection of Japanese immigrants, religious work, and schools for immigrants and their children.

The origin of our more or less organized movement for Americanization can be traced back to 1900. We first directed our effort to what we called social education and economic development. We tried to impart to our fellow countrymen elementary facts of American civilization so that they could better fit themselves for American life. We tried to teach them that assimilation was the first step for their success. Then we tried to convince them that by contributing to the national interests of America they could attain their own economic development.

In 1918, when the American government laid down the general plan of the "Americanization campaign," we made it the foundation of our work. In fact, we joined the movement. The Japanese associations of San Francisco, Los Angeles, Portland, and Seattle assumed the responsibility of directing the campaign in the coast states, Nevada, Utah and Colorado.

The San Francisco Association employs a man educated in America to canvass the northern half of the state. His function was to organize, in conjunction with the local associations, work for the campaign. Meetings were held at which men and women familiar with America addressed the Japanese. These addresses are for the purpose of acquainting the local Japanese with America. The topics discussed are such as American history, spirit, politics, economics, industry, religion, education. society, customs and manners, hygiene, care of children, cooking, housekeeping, etc. Besides lectures, pamphlets on these subjects have been prepared, and these are freely distributed. We have asked the Japanese schools, churches, Y. M. C. A., Y. W. C. A., clubs and other associations, newspapers and magazines to help us in our campaign, and they are enthusiastically responding. The Japanese Agricultural Association is also doing most effective work. We are also making a special effort to facilitate learning of the English language. We are helping to organize classes for women and children newly arrived and securing proper teachers for them. We are also helping them to select textbooks so that they can learn the language, and, at the same time, become familiar with America. Such is the nature and scope of our Americanization campaign.

To protect new arrivals, mostly women and children, we are cooperating with every institution connected with immigration at the time of their arrival and after their landing in America. We distribute at ports of departure pamphlets on what they should know on the voyage and in America. We send one of our secretaries to the immigration station every time a ship arrives to facilitate the needs of newcomers. We do what we can for the unfortunate immigrants, acting as go-between such and the Federal Bureau of Immigration. We make special efforts to protect wives whose husbands for various reasons fail to meet them at the station. We do our best to see that Japanese immigrants are accorded proper treatment from immigration officials. Our relations with these officials have been very cordial, and we are grateful.

The earlier Japanese immigrants were mostly students and for many years students formed the bulk of Japanese immigrants. They began to come to America about forty years ago. The Christian missionaries saw a chance to do proselyting work among the young Japanese. First they taught them English and helped them to secure jobs. As the number of Japanese increased missions were established. These conducted religious meetings and schools and provided rooming facilities. The various denominations together now maintain fifty-nine missions in America and Canada. These are doubtless helping the Japanese in many ways. But Professor Millis says: "These missions are for Japanese alone, and a recognition of a difference between them and other races and a condition which lessens their value as an assimilative force." This inductment is, we are inclined to think, worthy of serious consideration by all who are interested in religious instruction as well as in the real Christianization of the Japanese. A stigma is attached to "mission" Christianity in the mind of many Japanese Christians, and they prefer to attend American churches and they do. The mission work, if properly instituted, will no doubt have a far-reaching influence in Americanizing Japanese immigrants.

Aside from the schools for instructing Japanese in English, there are seventy-five so-called "supplementary" schools for teaching children the Japanese language. These are attended by the Japanese pupils after the public schools close for the day. They are primarily for the study of the Japanese language and are not intended to perpetuate the traditions and moral concepts of Japan. Of course, these are criticized by hostile Americans. But says Professor Millis, "They are supplementary schools, and at the worst, there is much less in them to be adversely criticized than in the parochial schools attended by so many children of the South and European immigrants. No real problem is yet evident connected with Japanese children on American soil." These are some of the more obvious facts concerning the status of Japanese residents in California.

In conclusion. Mr. President, the undersigned, in their unofficial capacity as representatives of their countrymen, have thought this a fitting opportunity for directing your attention to the status of our people on this coast. We approach you in no spirit of complaint. If we have grievances we recognize that such grievances are inseparable from the conditions which now exist and that they must be borne with patience. It is our firm belief, however, that fuller knowledge and better understanding on the part of the American people of our aims and aspirations as residents of the great State of California will tend to disabuse some prejudices and make our condition happier. We would convince the people of California that our presence and our activities are not a menace to the commonwealth, but that its dearest interests are our own. We are happy to be able to count with confidence upon your love of justice and we ask your powerful help in so shaping public thought and opinion that every obstacle to harmony may be removed. It is the earnest desire of the Japanese people in this state to dwell in peace and good will with their American neighbors, and they desire to so direct their energies that the best interests of the state and communities in which they live may be subserved.

If it is our good fortune to impress you with the sincerity of these, our purposes and aims, we shall feel that your visit to the West has been most fortunate and we shall remain gratified and grateful.

We have the honor to remain, Sir,

Most respectfully yours,

THE JAPANESE ASSOCIATION OF AMERICA.

TRUTH OF THE JAPANESE FARMING IN CALIFORNIA.

By Toyoji Chiba, Managing Director of the Japanese Agricultural Association of California.

INTRODUCTION.

At the close of an unprecedented war, in which nearly 10,000,000 lives and $300,000,000,000 in treasure have been sacrificed, the people of every nation must concern themselves deeply in order that such a great calamity shall not occur again. The putting forth of our best efforts in uprooting all international complications is the duty of mankind, the responsibility of every people.

From this point of view the League of Nations has been proposed and the conception has been reached that the competitive civilization of the nineteenth century must be swept away and in its place the golden age of cooperation must be realized. We have the profoundest sympathy and respect for the contentions and standpoints of those who are putting forth their very best efforts for the realization of this ideal, President Wilson, the humanitarians of the Orient and the Occident, the world democrats and international pacifists.

We believe that the historical friendship between Japan and America must be maintained in the future as in the past; that the waves of the Pacific must be made even more peaceful than before and during the great war; and that by conducting our international relations in such a way that trade and navigation shall become more and more flourishing the prosperity of both nations and the happiness of both peoples will be promoted and, at the same time, the peace of the world and the progress of civilization will be advanced.

But in order to maintain and increase this friendliness in the international relations of Japan and America, first of all there must be mutual understanding and harmony. At the present time, however, there are a number of difficult questions, both international and domestic, which mar the mutual understanding and harmony of the two nations, estrange the feelings of the two peoples, impede their friendly intercourse and tend to bring disaster to the welfare of both peoples. This is truly deplorable. Therefore we believe that it is the most urgent duty of every true citizen who desires justice and humanity and perpetual peace between Japan and America to think deeply on this point and devise plans to ward off the calamity in advance.

Just now among the difficult questions between Japan and America are the race question, diplomatic questions, financial questions, political questions, and social questions. The situation is very complicated, but we believe that if instigation, estrangement, misunderstanding, prejudice and discriminatory ideas were removed, these questions for the most part would disappear.

We also believe that the anti-Japanese question which is now being vehemently discussed among certain statesmen and others is being confused by lack of proper understanding of the facts about the Japanese, and by prejudiced instigation by certain gentlemen, and by that relic of a past age, the idea of discriminatory competition. For example, the usual arguments of those who oppose the Japanese are: (1) The Japanese are unassimilable and should be expelled in the future interests of the whites and for the preservation of western civilization; (2) Japanese laborers are to be feared because they will destroy the white man's standards of living and wages and therefore should be expelled; (3) the Japanese are evading the California land law, buying land, encroaching on the sphere of the whites, and will ultimately invade the whole of California, therefore they should be expelled; (4) Japanese by photograph marriage are importing large numbers of women who breed like rabbits. Consequently California would in future be controlled by Japanese, therefore measures must be taken immediately to eradicate them.

Such arguments are all based on misunderstanding, prejudice and discriminatory ideas. Whatever may be the motive and whoever may advocate such opinions, they are not worthy of our respect, and it is difficult to believe that impartial Americans will share such opinions.

But in every nation or society there are people whose business is misunderstanding, crooked argument and instigation. The important thing is to inform the majority of the people of the exact facts and secure their impartial judgment. If this can be done, all will be well. We do not think it absolutely necessary to refute the arguments of the anti-Japanese party, nor do we recognize any absolute necessity for defending the standpoint of the Japanese, but inasmuch as the question affects the diplomatic relations of the two nations and may possibly affect the peace of the world, we believe that in the interests of international peace, the best thing to do at this time is to observe and examine the facts impartially without concealment and submit them to the people of both nations for their candid judgment. And as for the California anti-Japanese question, we are convinced that instead of making it a diplomatic question between the two governments, the opening up of a way to solve the question by mutual understanding and harmony among the individuals residing within the same state is not only the most appropriate method, but that the reaching of just conclusions on the basis of an examination of the facts and just judgment of the facts, instead of debates between the so-called anti-Japanese and pro-Japanese parties, the object in view being the welfare of California, placing the emphasis upon world-wide international sympathy and upon individual character which transcends differences of race and nationality, in the spirit of true democracy, is the method which is most just and proper.

HOW JAPANESE FARMERS SETTLED IN STATE.

In the investigation of the facts concerning the Japanese in California, it is necessary in the first place to consider the history of their coming. Fifty years have elapsed since Japanese first came to California. But the motive of their coming was not altogether the result of overpopulation or merely because they were impelled by conditions in the homeland. The excellent climate, broad lands and wealth of capital in California unquestionably were strong motives enticing the

Japanese to California, but besides this, conditions in California at that time were such that the financial opportunities which inevitably awaited immigrants skilled in farming like the Japanese must not be overlooked. As the result of the enforcement of the Chinese exclusion law of 1884, California farms experienced a shortage of laborers year after year. But just at that time grain farming and stock raising in California were giving place to fruit and vegetable farming, and most California farmers were realizing greater profits from fruit farming than from grain and stock raising and were turning their attention exclusively to that industry, which required a large number of laborers in harvesting. Without due attention to this fact they recklessly planted fruit trees. And besides, as a result of the sudden springing up of irrigation projects, the growing of sugar beets, beans, potatoes and other vegetables gradually became flourishing and the farmers encountered great difficulty in obtaining suitable laborers for harvesting their ripened products.

But the Japanese, who were expert farmers through years of training in their own country, active and nimble in body, possessed special characteristics as workers which rendered them exceedingly desirable to the landlords who experienced great difficulty in securing suitable farm workers from among European immigrants. Japanese were regarded as very valuable immigrants and efforts were made to entice them to come.

In the summer of 1888 about sixty Japanese were invited to Vacaville to gather fruit. The result was highly satisfactory and after that there was a great demand for them in the hop fields of the Sacramento Valley, in the production of sugar beets in the Salinas Valley, and the grape harvest in central California. Gradually, Japanese were induced to come from Hawaii and the main land of Japan. It must not be overlooked that the motives of their immigration were the development of California, the labor famine which accompanied the sudden expansion of agriculture and the urgency of financial necessity due to the shortage of farm laborers.

Among the opponents of the Japanese in California are some, who, seeing that the Japanese are making special developments in agriculture, are spreading the report that the Japanese are encroaching on lands of the whites and driving them out. But the fact is that the majority of laborers who have migrated from Europe are not only unsuitable for farm labor but they prefer work in the city rather than in the burning heat and the rain of the farm. Compared with the severe labor of the farm, city labor is easy. Wages also are much greater and life far more agreeable in every way. Labor in the city is so much more agreeable than farm labor that the large majority of European immigrants, even when they settle for a time on the land, as soon as they get a little capital and financial leeway, they tend to move to places where there are plenty of theatres, saloons and other places of amusement. No matter how much artificial encouragement is given them to remain on the farm there is no tendency to do so. Whether the Japanese come and settle or not, if it is left entirely to European immigrants, the rich farm lands of California probably will return to the wilds.

TENDENCY OF AMERICAN POPULATION TO CONCENTRATE IN CITIES CONSIDERED IN RELATION TO JAPANESE SETTLERS.

The tendency of population in America to concentrate in cities has become increasingly manifest in the twentieth century and the resulting disparity in the proportion of population in city and country has given rise to many complicated social and economic problems of grave importance to America. According to the census of 1910, the population of America was 91,972,266. Compared with the population in 1900, 75,994,575, there was an increase of 15,977,691, *i.e.*, 20 per cent. In 1900 the urban population numbered 31,109,645, and in 1910, 42,623,383, an increase of 11,011,738, or 34.8 per cent in ten years. The rural population in 1900 was 44,384,930, increasing in 1910 to 49,348,883, an increase of 4,963,153, or only 11.2 per cent. In other words, in 1900, 40.5 per cent of the people were in cities and 59.5 per cent in the country, while in 1910 46.3 per cent were in cities and 53.7 per cent in the country.

Particularly in the flourishing Eastern and Middle States an extraordinary increase in urban population was shown, and inversely, there was a marked yearly diminution of rural population in not a few states. In Iowa, for instance, in the ten years from 1900 to 1910, the urban population increased 19.9 per cent, while the rural population decreased 7.2 per cent. In Indiana the urban population increased 30.5 per cent and the rural population lost 5.1 per cent. In Missouri, the urban population increased 22.3 per cent and the rural population lost 2.5 per cent. In Ohio there was an increase of urban population of 31.5 per cent and a decrease in rural population of 1.3 per cent. California, being a newly opened country with a sparse population of only 15.3 persons to the square mile, and an agricultural state, the rural population has not shown such an extreme decrease as has occurred in the Middle and Eastern States but the tendency to disparity of population between city and country is much more extreme than in other states.

In 1900 the urban population was 810,193 and the rural population 674,860, the proportion being 52.4 per cent in cities and 47.6 per cent in the country, but in 1910 the urban population numbered 1,469,739 and the rural population 901,810, *i.e.*, 61.8 per cent urban and only 38.2 per cent rural. California has taken first place in the United States in the matter of disparity of urban and rural population.

The causes of this concentration in cities are many and complicated, but the principal causes, it is needless to say, are:

1. The United States has shifted its center from agriculture to manufactures, resulting in greater opportunity for labor in the city than in the country.

2. Consequently wages are generally higher in the city than in the country and opportunities for gain in city occupations and the rate of profit have come to be greater than in agriculture.

3. City labor is less strenuous than farm labor, city occupations are less hazardous and difficult than farming, and even if one fails he soon recovers.

4. The difference in culture between city and country is extreme.

Particularly in such a country as America, with its system of widely separated villages, country life has very few opportunities to enjoy the advantages of civilization, as compared with city life. It is for the most part, dreary, comfortless and joyless.

These are the principal causes of the drift from country to city. Another very important cause contributing to the promotion of this condition in American cities is that the majority of European immigrants do not settle on farms but flock to the city. The floods of immigrants from southern and eastern Europe are congregating in New York and other cities on the Atlantic seaboard and making extraordinary development in concentrated alien communities.

This strong tendency from country to city life and the tendency of immigrants from southern and eastern Europe to congregate in cities are now giving rise to social and financial problems full of gravity and danger to the people of the United States, *i.e.*:

1. The cost of production of food and other raw materials is increasing year by year leading to an enormous increase in the cost of living.

2. This increase in the cost of living in a society largely concentrated in cities is giving rise to crimes of the poor, depraved youth, unsanitary conditions, suicide, insanity, prostitution and other unclean and evil social conditions.

3. It is a well known fact that anarchy, dangerous ideas like Bolshevism, dissipation, idleness, vagrancy, Black Hand gangs, murders, burglary, and other villainies are largely brewed in the mixed communities of ignorant European immigrants who herd in the cities.

Such being the tendency of undesirable elements to congregate in American cities, the contribution to the social phenomena of America by the Japanese in California, who, though only 50,000 or 60,000 in number, 58 per cent of whom are settled in agricultural production in the country, not minding the hardship and toil, opening up new land, industriously laboring as expert producers in areas avoided by European immigrants, is not without significance.

FACTS OF JAPANESE FARMERS AND FARM LABORERS.

The anti-Japanese party say that the Japanese are competing strongly with Americans and European immigrants in the agricultural areas of California, but this is contrary to the facts. The principle of competition does not, in the nature of the case, exist in agriculture. Commercial and manufacturing industries have in a large part been developed by competition. But agriculture is developed by cooperation, and we believe that in the future also the fact that cooperation is a fundamental principle of agricultural development will be unchanged. It differs from mercantile and manufacturing industries, where plans and processes are worked out in secret, in the factory or at the table. In agriculture, which is carried out in the public view under the open sky, there is absolutely no room for secrets. Nature with her sunshine, wind, rain, heat and cold metes out no discriminatory treatment, it is needless to say. Any one can immediately learn and imitate the superior methods of another farmer. If only he has correct ideas and operates properly, he should by no means be defeated by competition. All the more, in the case of American farming which is said to be seven-tenths commercial skill and only three-tenths skill in cultivation, the idea that the

Japanese farmer, who is handicapped in language and business habits, can compete with the American farmer with his powerful commercial machinery and years of training in business cleverness, is, we think, a fanciful opinion which utterly ignores the facts. Anti-Japanese debaters are still reiterating the assertion that Japanese are content with low wages and a low standard of living and, therefore, it is utterly impossible for American farmers to stand in economic competition with them. But this opinion is based on the idea that the situation of the Japanese has not changed in ten years. It is an erroneous view wholly inapplicable to present conditions, and which a little investigation of the facts about the Japanese will dissipate completely. In fact, today, after the war, Japanese laborers in the harvest season for the potatoes, asparagus, fruit and grapes of the Sacramento and San Joaquin Valleys, and the sugar beets of Southern California, rarely receive less than four dollars a day. Non-Japanese laborers, excepting skilled machinists, do not get more than three dollars and a half per day. In fact, it will be found that the facts are just the reverse of the assertions of the anti-Japanese debaters.

In daily life and manner of living, of course, some are more clever than others. In the matter of clothing, food, and housing, investigation has shown that expenses in Japanese farmers' homes, as compared with other farmers who are operating on practically the same scale, are for the most part far greater. Proof is better than argument. If this fact is doubted, an examination of Japanese farmers' homes in the vicinity of Livingston and Fresno, where there are large numbers of Japanese settlers, comparing them with the Germans, Portuguese and Armenians, the doubt will be dissipated. This fact already has been recognized by intelligent Americans who have given attention to the Japanese question.

In the matter of comparative wages received by Japanese, American and other laborers, in the rice harvest beginning in September, 1919, in Colusa, Butte and Glenn counties, where there are five rice plantations of from 1200 to 2400 acres, operated by Japanese or by cooperative companies of Japanese and Americans, investigation was made on the ground. These companies employed from one hundred to one hundred and fifty laborers each, one-third of them being Japanese and two-thirds Americans, Europeans and Mexicans. They all worked cheerfully under American and Japanese foremen without any anti-Japanese feeling. On these plantations wage conditions varied more or less in the methods of boarding, bonus systems, etc., but the wage scale was practically the same in all, and was as follows:

	During harvest	After harvest
Japanese common laborers	$4.00 a day (with meals)	$3.50 a day (with meals)
White common laborers	3.50 a day (with meals)	3.00 a day (with meals)
White teamsters	4.00 a day (with meals)	3.50 a day (with meals)

With regard to this, managers and foremen explained that throughout the year Japanese laborers receive about fifty cents a day more than white laborers doing the same kind of work. Teamsters, however, are generally white men, but their wages are the same as those of Japanese common laborers. They gave the following reasons why Japanese wages are high:

1. There are certain kinds of work which can hardly be done except by Japanese, and certain kinds which only Japanese will do.

2. When it is raining or in other circumstances of special urgency, the work can not be done in time without the Japanese. There are also circumstances where perfect work can not be done without special attention.

3. Japanese readily put their hands on the itchy place (*i. e.*, do just what is wanted, leave nothing to be desired).

4. Harvest comes just at the busy season for fruit and other farm industries when the scramble for Japanese laborers makes it difficult to get a sufficient number of men.

5. White laborers generally dislike the strict oversight and petty scolding of white employers and tend to prefer working on Japanese plantations.

6. The season of rice harvest is short and on this account also the wages paid are far higher than those of white laborers engaged in other employments, etc., etc.

With regard to board, one of the managers said: "Here the Americans and Japanese eat exactly the same food (Western). There is not the slightest difference. The actual cost of food is a dollar a day."

ADDITIONAL FACTS ABOUT RICE PRODUCTION.

We have said that in agriculture cooperation, not competition, should be the rule. We wish to give an actual case in substantiation of this. Rice culture in California has increased until it occupies an area of 150,000 acres and is the most profitable agricultural industry in the state. This rice culture, which is now counted as one of the most promising future agricultural industries of the state, until seven years ago was in the experimental stage. The government and some land companies had made several experimental efforts, but the rice did not ripen satisfactorily, and at one time rice growing in California was abandoned as impossible. But Japanese, with years of experience in their own country, not minding any number of failures and sacrifices, brought superior early-ripening varieties from Japan, devised methods of irrigation and cultivation, and at last demonstrated the possibility of rice growing in California as a successful and profitable business. That this is true is proved by the fact that 85 per cent of the varieties of rice grown in California is from Japanese seed. And yet the Japanese, who by these great sacrifices, won for California this new agricultural product, operate not more than 29,000 acres of the 150,000 acres of rice farms in the state, the other 120,000 acres being operated by Americans and others. As we said before, farming under the open sky has no secrets which can be monopolized, be they ever so profitable. In a very few years the American landlords, whose strongly alkaline lands were worthless, have been able to make them most useful and valuable lands. From fourteen to fifteen dollars per acre, these lands have jumped to a valuation of over a hundred dollars per acre. Rough land from which could not be harvested more than five or six sacks of barley once in three years, now produces over forty bags of unhulled rice, worth at present six cents a pound.

Or this land can be leased at an annual rental of thirty-five to fifty dollars an acre, or let out on shares, the owner receiving one-third or two-fifths of the crop.

This highly profitable development shows, on one hand, that in farming there are no secrets and no monopoly. At the same time, on the other hand, it shows what a perversion of facts, what an unreasonable fabrication is the assertion that the Japanese are invading and monopolizing the agricultural lands of Californa

SPECIAL ATTENTION TO THE AMERICAN PUBLIC REGARDING THE JAPANESE FARMERS IN CALIFORNIA.

The entire area of lands in California under cultivation by Japanese farmers is 390,637 acres, but 80 per cent of this area is leased land. The land operated by Japanese owners is less than 10 per cent. In the distribution of agriculturists, the Sacramento Valley comes first in point of area, next Southern California, then San Joaquin County and the region about Fresno in Central California.

In the region where Japanese farmers have made the greatest development, the Sacramento Valley, the soil is of the poorest, having a cement-like hardpan a foot below the surface, not only almost unfit for growing anything but grapes and strawberries, but even in grapes and strawberries barely producing more than half as well as other parts of California.

And again, in the lower river region, the so-called delta of the San Joaquin, where Japanese farming is most extensively developed, the land was originally a water-submerged swamp. By building embankments and getting rid of the water within them, and removing the willows and cattails, it has been made arable. But the fields are ten to fifteen feet below the water level and always at a low temperature and emitting marsh gas. The drinking water is bad. Swarms of mosquitoes abound and hygienic conditions are exceedingly unwholesome. Americans and European immigrants can not live there at all, as is proved by the fact that the number of European and American residents in that region is practically negligible.

Again, the regions in the vicinity of Livingston, Fresno and Bowles, where Japanese agriculture is developing, not only were like deserts, the land being practically abandoned as almost wholly incapable of producing anything, until the Japanese moved in a few years ago, but with a scorching climate in which ease-loving, weak-willed, unsteady immigrants have no desire permanently to reside.

The bitter hardships and sacrifices of the Japanese immigrants who colonized these places where life is so difficult are made plain in the mute messages of thousands of tombstones in the outskirts of Fresno.

A few years ago, a writer in the "San Francisco Chronicle," who had investigated the Japanese farming communities in California, published a report containing the following passages which we think will suffice to show what sort of lands were settled by Japanese, what sacrifices they made, and how strenuously they battled:

> The story of Livingston is almost a romance. It is a tale of tremendous struggle against hostile natural conditions, financial disaster and year after year of disappointment, but a struggle maintained by stout hearts with indomitable perseverance until it ended, as a romance should, in complete victory. It is a tale, too, of the power of Christian faith, of a moral triumph over material obstacles no less than the material triumph that the Livingston colonies have won.
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> For Livingston is a Christian colony, and that fact has, in more than one way, profoundly influenced the development of the colony. It is that fact that prevents Livingston, the highest example of a Japanese farming community in California, from being taken as the most typical example. The fact that many of its members were Christians has had so much to do with the success of the community that it has in a measure set this colony apart from other Japanese agricultural settlements.
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> This is said with no intent to draw any comparison whatever between the values of different religious systems. It is merely stating a fact. Because Livingston colonists are Christians they have had certain advantages in the community of which they are a part, and these advantages have brought development of a kind that would not otherwise have come to them. Men of other faiths agree in this statement. Why this is true will appear in the story of the colony.
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> The soil was shifting sand, blown by desert winds that sucked up and whirled away every vestige of moisture, its bare surface scorched by a fierce sun. There was no shade, no water, no sanitation, no schools, no churches. There was nothing to make life worth living. In fact, life there was believed impossible.
>
> An American colony had been planted at Livingston twelve years before, but after a brief struggle with hostile conditions, had vanished. It simply "blew away," its distant neighbors said. These Japanese were laughed at when they announced that they would settle at Livingston. Their own people laughed at them. They were told that they, too, would be blown away by the fierce winds that whirled over the hot sands.
>
> The colony was almost blown away. Established in 1906, it faced disaster after disaster and almost starved through five lean and hungry years before a profit came. It found conditions at Livingston to be as bad as they had been represented. The wind, unhindered as it now is by plantations of trees, swept away the soil they had loosened by cultivation and dried up their young plants. Grasshoppers devoured what the wind left. Water for domestic purposes had to be carried for two miles. Then, in 1909, the Japanese American Bank in San Francisco, which held a second mortgage on their lands, closed its doors.
>
> The outlook was then the blackest the colony had faced. The members had no money in their houses. Families were without a nickel on hand. Through the long hard times that followed there were days when families could not buy bread. They got along only by little borrowings and there were many instances when five cents carried an entire household for several days. (From the San Francisco "Chronicle," January 16, 1918.)

This is only one example reported by the "Chronicle" writer after investigation made on the spot, but probably the resident Japanese of the present day in every locality have all had similar experiences.

Even the Japanese are not especially desirous of living and working in deserts where sanitary conditions are bad, or in low, damp places, performing excessively hard labor which European immigrants dislike. If they could choose they would prefer the mild climate of the coast with its charming scenery and pleasant dwelling places, or flourishing cities with their attractive amusements and other advantages, just like other people. But unfortunately the Japanese in California were late comers. When they immigrated the advantageous labor opportunities and business enterprises had been appropriated by earlier residents. Trade unions and labor organizations had been formed and there was hardly any place left where they could enter. Nevertheless up to ten years ago Japanese immigrants landing at San Francisco and Seattle did fairly well in the operation of restaurants and laundries in those cities. But they encountered great opposition and persecution from the unions, and rather than remain in occupations where they must stand in competition with those earlier residents they abandoned these occupations for one involving harder work and a less pleasurable life. They had to enter the fields abandoned by European immigrants, the poorest agricultural lands. This is the way the Japanese have developed the farms.

Meanwhile not only was there almost no opposition to or competition with the Japanese, but among the Japanese farmers intending to engage in new agricultural enterprises there was always the thought that they had come to America and must not lose their attitude of respect for the residents who were here before.

To this end it has come to be an unwritten law, that as far as practicable the sphere of their activities and development shall be in the direction of agriculture. Necessary articles of every day use, clothing, food, and household goods, and most of the materials needed in the business, are purchased from American stores. And even in the streets of cities, shops, restaurants and other places of business are not to be set up in places where there would be competition with Americans. Certainly there is no effort to compete with residents who were here before. A good example of this is Livingston which has been mentioned before.

In consequence of the disadvantageous fact that the Japanese were late comers the products with which they have to do for the most part are such as require extremely hard work in production, or are unprofitable, or else such as can not well be produced except by Japanese. This fact is another strong proof that Japanese are not in the position of competitors with other farmers.

Comparing the total agricultural output of the State of California, and the principal products, with the total output of the Japanese and their principal products, we find that according to the report of Dr. Hecke, President of the California Bureau of Agriculture for 1918, the value of grapes and other fruits was $171,626,000 and of grain and vegetables $351,400,000, total $523,026,000. And according to investigations of the Japanese Agricultural Association of California at the close of 1918, the value of Japanese farm products was $53,375,000, that is, about 10 per cent of the total output was produced by Japanese. Of this 10 per cent of farm products, those with which Japanese have most to do are truck crops such as strawberries, asparagus, celery, and tomatoes, of which 80 per cent to 90 per cent of the entire output in the state is produced by Japanese. But these crops all require a stooping posture, great manual dexterity and painstaking methods of work which other laborers with long legs unsuitable for stooping can not endure. Not only this, but this is a kind of farming which Americans and immigrants from Europe dislike to follow. Hence it is perfectly clear that if the Japanese had nothing to do with this kind of farming the output of such products in California would be reduced more than half. In the growing of cantaloupes, which are produced in the United

States only in localities with the hottest climates, like the Imperial Valley in California and Rocky Ford in Colorado, where they are mostly produced, the heat at ripening time is intense, especially in the Imperial Valley, where it exceeds 140 degrees Fahrenheit. The land there is below sea level and the entrance is called the gate of hell, which shows the popular impression as to climate. It is a disagreeable, unsanitary region. When the wind blows the whole house is filled with yellow dust and no matter how closely the doors are shut, the rooms and even the closets are covered with dust. It is impossible even to preserve the foodstuffs completely.

This region for years has been an abandoned waste where nobody desired to settle. Moreover, the Japanese had never seen cantaloupes in their own country and, of course, had absolutely no experience in their cultivation. In normal circumstances there is no reason why large numbers of Japanese should be connected with farming in a region where life is so disagreeable. But here again their grievous position as late comers made the luxury of choice in climate, convenience of living, or work in which they were experienced, impossible. There was no chance left for them except in work which most Americans and European immigrants could not do, or work which they never ventured to do. Therefore, they had to engage in such hazardous and unprofitable work.

On the other hand, in the culture of such products as grain, fruit, beans and rice, in which the work is done with comparative convenience by the use of machinery, where the labor of cultivation is not difficult and is comparatively free from danger, the fact that the cultivation of these products is widely carried on also among American farmers, even though the land was first opened up and its cultivation begun by the Japanese, is another proof that the charge that the Japanese are driving out the California farmers or are competitors against them, is an idle fancy totally without foundation in fact.

FACTS ABOUT JAPANESE LAND OWNERSHIP.

We greatly regret that the anti-Japanese debaters and Americans in general have very erroneous and exaggerated ideas of the real situation in the matter of Japanese ownership of the land.

The area of land owned by Japanese in California, according to investigation made by the California Central Farmers Association at the close of 1918, including lands purchased prior to the enforcement of the (California) land law and also lands purchased after the law went into effect in the names of children, did not exceed 30,305 acres. (When the California land law went into effect in 1913 they held 29,500 acres.) Comparing this with the total land area of the state, 99,617,280 acres, it does not exceed 1/3281. Of the total farming land in California, 27,911,444 acres, it is not more than 1/921.

Lately the anti-Japanese agitators have been declaring that the Japanese, in spite of the land law, are busily forming companies with Americans and making extensive purchases of land, and that soon all the land of California will be in their hands. But this is mere idle rumor. We believe that anyone who considers the matter frankly and without bias will admit that, in the nature of the case, the ownership by Japanese of shares of stock in land companies in which a majority of the stock is owned by Americans is in no way dangerous. On the contrary, there is no knowing to what extent California could be developed and the interests and welfare of Americans promoted if Americans, possessing wide tracts of land and large capital, would give part of their stock to Japanese in order to bring out their superior agricultural skill.

For three thousand years the Japanese in the narrow confines of their native land have cultivated the soil and have made it produce food for 60,000,000 people, a surprising fact of deep significance. On the other hand, it enables one to imagine what trouble and distress they have undergone in order to preserve the productivity of the soil, and on the other hand, the fact that to the Japanese farmer the habit of valuing and taking care of the land has become second nature must not be overlooked. We believe that in all the world the Japanese people have no superiors in the matter of producing large crops from small areas and in the habitual skill with which they are able to restore the productive energy of the soil. We do not think that even the Danes, who have world-wide fame for their intensive farming, surpass the Japanese in this respect. Look, for example, at the illustrations of this in California. The Japanese, who were late comers, when they took up farming had to settle on the poorest lands in California, as can be easily imagined by the poorness of the soil in the vicinity of Florin, Livingston and Bowles near Fresno, where Japanese farmers are peacefully settled. But the Japanese with their inherited three thousand years experience in restoring the energy of the soil, had no sooner settled there than, like king Midas, they converted those regions immediately into the best farming districts of California. We think this fact proves the above statements regarding the skill of Japanese in the treatment of land.

Examples of the way in which Japanese farmers are converting abandoned farms into excellent ones have already been written up frequently by American investigators, but we wish to add another instance. Eleven years ago a Japanese farmer at Livingston bought from an Italian or Portuguese farmer who had become weary of country life and abandoned it, a fifteen acre field of desolate land planted with old almond and fig trees which had almost ceased to bear. The Japanese purchaser had become fond of farming and desired to establish there a permanent home. This industrious settler bought up manure from the nearby town and spaded it into the old field. While others irrigated once, he irrigated two or three times. He cultivated deeply and painstakingly over and over again, and while taking measures to restore the soil he also pruned the old fruit trees, grafting in branches of improved varieties, spraying to drive out injurious insects three or four times where others sprayed but once, and as the result of this improved culture there is probably no fruit farm to be seen in California which compares with this one.

And not only so, he has an improved home, lives like the Americans, is educating his children, and enjoys the perfect confidence of the Americans in the vicinity.

This is but a single example. We could adduce any number of similar examples among the Japanese settled farmers in various places, but this will suffice here.

JAPANESE EXPERT INTENSIVE FARMERS.

The statement that there are few who equal the Japanese in intensive farming is verified by the strawberry and vegetable industries, which are largely carried on by them. On a small area of from two acres to forty acres a single family raises products worth thousands and tens of thousands of dollars. At the present time California has vast areas of arable land which lie idle because there are so few cultivators, but as the population increases year after year and an unlimited power of consuming farm products develops, intensive farming sooner or later will become necessary, as has been pointed out by Dr. Hunt of the College of Agriculture of the University of California and other intelligent agriculturists. It is also an unquestionable fact that in growing the various kinds of products now being cultivated, rotation of crops and fertilizing must be practiced. Otherwise the most fertile land will deteriorate year by year.

Japanese farmers have made such points subjects of repeated, careful study and contrivance. For instance, they have been studying for several years the problems of the crop rotation and the expulsion of the panic weed in the rice fields of northern California, and steadily they have kept on until success is assured. This is one example.

SHOULD BE GIVEN FAIR AND DEMOCRATIC TREATMENT.

In short, it is not an exaggeration to say that the great agitation which is being made over the paltry holdings of farm land by Japanese here in America, with its unlimited areas of uncultivated land, particularly in California, is the work of instigators who are frightening people with shadows. Since there is already a "Gentlemen's Agreement" it is proper that the governments of both nations should do their best to prevent the coming of new immigrants, but the attempt to rob good agricultural settlers already in the country and peacefully living on the soil, assimilating themselves to the American spirit, ideals, manners, customs and national sentiments, of their liberty to cultivate the soil and their power to multiply children, is something which we do not think a civilized people, particularly the Americans, who respect the right of possession and of rights already secured, will venture to do. Even in Japan, with its small national domain and excess of population, not only is national sentiment gradually tending to leniency in respect to alien ownership of land, but there are absolutely no discriminatory laws against persons from abroad. Moreover, the tendency of the age in all the world is gradually towards new ideals which discard all discriminatory treatment based on race and nationality. America is peculiarly the land of opportunity, a land which boasts of her magnanimity and forbearance towards all, and it is the spirit of her treatment of immigrants from abroad which is making America increasingly preeminent. We believe that the Americans of this new age will never repeat the cruelties of the Pharaohs of ancient Egypt or the oppressions of the old German regime in Poland, but that, by loyalty to the true spirit of the nation, will make glorious the future history of America.

PROPOSED INITIATIVE, AMENDING CALIFORNIA ALIEN LAND LAW.

(Election November 2, 1920.)

PROPERTY RIGHTS AND DISABILITIES OF ALIENS IN CALIFORNIA.

Initiative Measure to Be Submitted Directly to the Electors.

ALIEN LAND LAW. INITIATIVE ACT. PERMITS ACQUISITION AND TRANSFER OF REAL PROPERTY BY ALIENS ELIGIBLE TO CITIZENSHIP, TO SAME EXTENT AS CITIZENS EXCEPT AS OTHERWISE PROVIDED BY LAW; PERMITS OTHER ALIENS, AND COMPANIES, ASSOCIATIONS AND CORPORATIONS IN WHICH THEY HOLD MAJORITY INTEREST, TO ACQUIRE AND TRANSFER REAL PROPERTY ONLY AS PRESCRIBED BY TREATY, BUT PROHIBITING APPOINTMENT THEREOF AS GUARDIANS OF ESTATES OF MINORS CONSISTING WHOLLY OR PARTIALLY OF REAL PROPERTY OR SHARES IN SUCH CORPORATIONS; PROVIDES FOR ESCHEATS IN CERTAIN CASES; REQUIRES REPORTS OF PROPERTY HOLDINGS TO FACILITATE ENFORCEMENT OF ACT; PRESCRIBES PENALTIES AND REPEALS CONFLICTING ACTS.

An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this state, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holdings to facilitate the enforcement of this act, prescribing penalties for violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith.

The people of the State of California do enact as follows:

SECTION 1. All aliens eligible to citizenship under the laws of the United States may acquire, possess, enjoy, transmit and inherit real property, or any interest therein, in this state, in the same manner and to the same extent as citizens of the United States, except as otherwise provided by the laws of this state.

SEC. 2. All aliens other than those mentioned in section one of this act may acquire, possess, enjoy and transfer real property, or any interest therein, in this state, in the manner and to the extent and for the purpose prescribed by any treaty now existing between the government of the United States and the nation or country of which such alien is a citizen or subject, and not otherwise.

SEC. 3. Any company, association or corporation organized under the laws of this or any other state or nation, of which a majority of the members are aliens other than those specified in section one of this act, or in which a majority of the issued capital stock is owned by such aliens, may acquire, possess, enjoy and convey real property, or any interest therein, in this state, in the manner and to the extent and for the purposes prescribed by any treaty now existing between the government of the United States and the nation or country of which such members or stockholders are citizens or subjects, and not otherwise. Hereafter all aliens other than those specified in section one hereof may become members of or acquire shares of stock in any company, association or corporation that is or may be authorized to acquire, possess, enjoy or convey agricultural land, in the manner and to the extent and for the purposes prescribed by any treaty now existing between the government of the United States and the nation or country of which such alien is a citizen or subject, and not otherwise.

SEC. 4. Hereafter no alien mentioned in section two hereof and no company, association or corporation mentioned in section three hereof, may be appointed guardian of that portion of the estate of a minor which consists of property which such alien or such company, association or corporation is inhibited from acquiring, possessing, enjoying or transferring by reason of the provisions of this act. The public administrator of the proper county, or any other competent person or corporation, may be appointed guardian of the estate of a minor citizen whose parents are ineligible to appointment under the provisions of this section.

On such notice to the guardian as the court may require, the superior court may remove the guardian of such an estate whenever it appears to the satisfaction of the court:

(a) That the guardian has failed to file the report required by the provisions of section five hereof; or (*b*) That the property of the ward has not been or is not being administered with due regard to the primary interest of the ward; or

(*c*) That facts exist which would make the guardian ineligible to appointment in the first instance; or

(*d*) That facts establishing any other legal ground for removal exist.

SEC. 5. (*a*) The term "trustee" as used in this section means any person, company, association or corporation that as guardian, trustee, attorney-in-fact or agent, or in any other capacity has the title, custody or control of property, or some interest therein, belonging to an alien mentioned in section two hereof, or to the minor child of such an alien, if the property is of such a character that such alien is inhibited from acquiring, possessing, enjoying or transferring it.

(*b*) Annually on or before the thirty-first day of January every such trustee must file in the office of the secretary of state of California and in the office of the county clerk of each county in which any of the property is situated, a verified written report showing:

(1) The property, real or personal, held by him for or on behalf of such an alien or minor;

(2) A statement showing the date when each item of such property came into his possession or control;

(3) An itemized account of all expenditures, investments, rents, issues and profits in respcct to the administration and control of such property with particular reference to holdings of corporate stock and leases, cropping contracts and other agreements in respect to land and the handling or sale of products thereof.

(*c*) Any person, company, association or corporation that violates any provision of this section is gcilty of a misdemeanor and shall be punished by a fine not exceeding one thousand dollars or by imprisonment in the county jail not exceeding one year, or by both such fine and imprisonment.

(*d*) The provisions of this section are cumulative and are not intended to change the jurisdiction or the rules of practice of courts of justice.

SEC. 6. Whenever it appears to the court in any probate proceeding that by reason of the provisions of this act any heir or devisee can not take real property in this state or membership or shares of stock in a company, association or corporation which, but for said provisions, said heir or devisee would take as such, the court, instead of ordering a distribution of such property to such heir or devisee, shall order a sale of said property to be made in the manner provided by law for probate sales of property and the proceeds of such sale shall be distributed to such heir or devisee in lieu of such property.

SEC. 7. Any real property hereafter acquired in fee in violation of the provisions of this act by any alien mentioned in section two of this act, or by any company, association or corporation mentioned in section three of this act, shall escheat to, and become and remain the property of the State of California. The attorney general or district attorney of the proper county shall institute proceedings to have the escheat of such real property adjudged and enforced in the manner provided by section four hundred seventy-four of the Political Code and title eight, part three of the Code of Civil Procedure. Upon the entry of final judgment in such proceedings, the title to such real property shall pass to the State of California. The provisions of this section and of sections two and three of this act shall not apply to any real property hereafter acquired in the enforcement or in satisfaction of any lien now existing upon, or interest in such property, so long as such real property so acquired shall remain the property of the alien, company, association or corporation acquiring the same in such manner. No alien, company, association or corporation mentioned in section two or section three hereof shall hold for a longer period than two years the possession of any agricultural land acquired in the enforcement of or in satisfaction of a mortgage or other lien hereafter made or acquired in good faith to secure a debt.

SEC. 8. Any leasehold or other interest in real property less than the fee, hereafter acquired in violation of the provisions of this act by any alien mentioned in section two of this act, or by any company, association or corporation mentioned in section three of this act, shall escheat to the State of California. The attorney general or district attorney of the proper county shall institute proceedings to have such escheat adjudged and enforced as provided in section seven of this act. In such proceedings the court shall determine and adjudge the value of such leasehold or other interest in such real property, and enter judgment for the state for the amount thereof together with costs. Thereupon the court shall order a sale of the real property covered by such leasehold, or other interest, in the manner provided by section twelve hundred seventy-one of the Code of Civil Procedure. Out of the proceeds arising from such sale, the amount of the judgment rendered for the state shall be paid into the state treasury and the balance shall be deposited with and distributed by the court in accordance with the interest of the parties therein. Any share of stock or the interest of any member in a company, association or corporation hereafter acquired in violation of the provisions of section three of this act shall escheat to the State of California. Such escheat shall be adjudged and enforced in the same manner as provided in this section for the escheat of a leasehold or other interest in real property less than the fee.

SEC. 9. Every transfer of real property, or of an interest therein, though colorable in form, shall be void as to the state and the interest thereby conveyed or sought to be conveyed shall escheat to the state if the property interest involved is of such a character that an alien mentioned in section two hereof is inhibited from acquiring, possessing, enjoying or transferring it, and if the conveyance is made with intent to prevent, evade or avoid escheat as provided for herein.

A *prima facie* presumption that the conveyance is made with such intent shall arise upon proof of any of the following groups of facts:

(*a*) The taking of the property in the name of a person other than the persons mentioned in section two hereof if the consideration is paid or agreed or understood to be paid by an alien mentioned in section two hereof;

(*b*) The taking of the property in the name of a company, association or corporation, if the memberships or shares of stock therein held by aliens mentioned in section two hereof, together with the memberships or shares of stock held by others but paid for or agreed or understood to be paid for by such aliens, would amount to a majority of the membership or the issued capital stock of such company, association or corporation;

(*c*) The execution of a mortgage in favor of an alien mentioned in section two hereof if said mortgagee is given possession, control or management of the property.

The enumeration in this section of certain presumptions shall not be so construed as to preclude other presumptions or inferences that reasonably may be made as to the existence of intent to prevent, evade or avoid escheat as provided for herein.

SEC. 10. If two or more persons conspire to effect a transfer of real property, or of an interest therein, in violation of the provisions hereof, they are punishable by imprisonment in the county jail or state penitentiary not exceeding two years, or by a fine not exceeding five thousand dollars, or both.

SEC. 11. Nothing in this act shall be construed as a limitation upon the power of the state to enact laws with respect to the acquisition, holding or disposal by aliens of real property in this state.

SEC. 12. All acts and parts of acts inconsistent or in conflict with the provisions hereof are hereby repealed; *provided*, that—

(*a*) This act shall not affect pending actions or proceedings, but the same may be prosecuted and defended with the same effect as if this act had not been adopted;

(*b*) No cause of action arising under any law of this state shall be affected by reason of the adoption of this act whether an action or proceeding has been instituted thereon at the time of the taking effect of this act or not and actions may be brought upon such causes in the same manner, under the same terms and conditions, and with the same effect as if this act had not been adopted.

(*c*) This act in so far as it does not add to, take from or alter an existing law, shall be construed as a continuation thereof.

SEC. 13. The legislature may amend this act in furtherance of its purpose and to facilitate its operation.

SEC. 14. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The people hereby declare that they would have passed this act, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact than any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional.

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